# RIGHTS AND WRONGS OF THE TRANSVAAL WAR

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OF THE

# TRANSVAAL WAR

BY

EDWARD T. COOK



Γίνονται μὲν οὖν αἱ στάσεις οὐ περὶ μικρῶν ἀλλ' ἐκ μικρῶν, στασιάζουσι δὲ περὶ μεγάλων.

ARISTOTLE'S *Politics*, viii. 4.

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# PREFACE

THE object of these pages is to provide within a single volume of moderate size as complete a handbook as possible to the discussions on the policy of the South African War. Upon the conduct of the war I do not touch. My attempt has been to trace the war back to its ultimate causes, to recall the sequence of events immediately preceding it, to set out the actual course of the negotiations, and to discuss the questions of right and wrong involved in the struggle.

I do not pretend to be impartial, in the sense of taking no side. I believe that substantially Great Britain has been in the right, and the Dutch Republics have been in the wrong. The general point of view which will be found in the following pages was summarized in a newspaper article here reprinted in an appendix (p. 357). But though the book is informed with a definite opinion, I have endeavoured to supply the reader with the data necessary for arriving at an independent judgment.

The facts and documents on which alone any intelligent opinion can be based are scattered in a large mass of books of reference, of newspaper files, and of Parliamentary papers. I have cited textually the more important despatches, collecting them in their proper order from a chaos of Blue-Books (many of which are now out of print). My purpose has been to supply throughout chapter and verse for every reference, and particular illustrations of every general statement. A full index will, it is hoped, facilitate the use of the book for purposes of reference.

The origin of the volume was a suggestion made to me from several quarters that I should collect some of the articles written on South African questions during my

editorship of a London morning paper. The suggestion in the form in which it was made was soon seen to be impracticable. It was abandoned, not because on looking back over forgotten files I found old words rising in judgment against me in the light of subsequent events, but because the form of the political leading article renders it wholly unsuitable for reproduction. To make any impression by means of leading articles, a writer must go all lengths in iteration. His audience of one day, he remembers, will not be quite the same as his audience on the next. In any case, what exists on paper to-day is to-morrow cast into the oven. The worthiest fate which a journalist can expect for the words of wisdom he addresses to the head and heart of his readers is that they should afterwards wrap up their boots. Nobody pays much attention to any one leading article; it is only by hammer, hammer, hammer that a newspaper-writer can hope to fix his points upon public attention. Iteration, therefore, is of the essence of journalistic effect. It is saved from damnation, if at all, only by the fact that each article is hung on some different peg such as may be found in the news of the day. The occasion is sometimes slight enough, but the writer, to give excuse for his repetitions, works it hard and makes it colour the whole article. The leading article, then, is occasional in form and prone to repetition in substance. These characteristics stamp it, apart from all other imperfections, as irremediably ephemeral. But on turning over a large file of South African articles—I shrink from indicating their number—it seemed to me that some of the material therein employed might usefully serve a further purpose by being collected into a book of reference in the way described above.

And so the present volume took shape. Though it represents the fruits, in one sphere, of five years' work in daily journalism, it is yet new matter in the sense that it has been almost entirely re-written. Occasionally, however, the most effective way of telling the story or making a point seemed to be to recall comments made at the time in the public press. In such cases I have cited the actual words of old articles. For permission to do this I have to thank the proprietors of the *Daily News*. It is probably unnecessary

to add, but, in order to prevent even a possibility of misunderstanding, it seems right for me to say that the proprietors of that paper, past and present, must not be taken as having the slightest responsibility for my words or sympathy with my views. I am on this account the more indebted for their indulgence in permitting me to repeat any portion of my heresies here.

The rights and wrongs of the South African War still exercise many minds. It is well that they should do so. Questions of right and wrong are of enduring interest. War is so terrible a scourge that the policy and ethics of any resort to it can never be too fully discussed. In the present case the discussion has the further interest that it raises questions of national policy and party relations which will assuredly remain with us even when the war has at last come to an end. The relation of the different parts of the Empire to one another, the function of the Empire as (in Mr. Gladstone's words) 'a trust and a function given from Providence,' the outlook of the Liberal party upon such problems—these are among the questions on which incidental remarks will be found in the following pages.

E. T. C.

*June* 1, 1901.

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# RIGHTS AND WRONGS OF THE TRANSVAAL WAR

## PART I

### UNDERLYING CAUSES OF DIFFERENCE : 1836—1894

## CHAPTER I

### A CONFLICT OF RACE

Occasions and issues in politics—Racial conflict between British and Boers—Memories of Slaghter's Nek—Mr. Reitz's 'Century of Wrong'—'Rotten egg' and 'red neck'—Tant' Sannie and the English—Moral effects of Majuba.

It was a reflection of the first of political philosophers that disturbances in States, though they may arise on trifling occasions, do not involve trifling issues. The immediate cause of a war may seem altogether disproportionate alike to its sacrifices and to its results; its outbreak may be traced to a caprice, a hasty word, a clumsy phrase. But the question remains how the nations involved in the war came to place their destinies at the mercy of such trifles. The answer is that the fundamental issues are seldom other than important. It is with political as with national convulsions. The immediate occasion of them may be a step, a drop, a crack; the ultimate cause is to be found in the long process of permanent factors, or the slow emergence of subterranean forces.

The South African War—the greatest struggle in which

Great Britain has been involved for more than a generation, and a struggle which to the other combatant involved his very existence—is often ascribed to accidental, temporary, and personal causes. It was caused, say some, by the Jameson Raid; it was caused, say others, by the Bloemfontein Conference. According to some, it was engineered by 'bloated capitalists'; according to others, by 'corrupt Hollanders.' Some see in the war the result of one old man's obstinacy; others the result of another man's unruly tongue. If we are to accept the theories of a certain school of writers, Boer and Briton have been in death-grips over the precise meaning of the word 'suzerainty,' or a difference between five years and seven in the term of naturalization, or the paltry margin of a dispute left over when 'nine-tenths' of it were amicably settled. All of these things may have had, and some have indisputably had, a certain share in producing the occasion of the quarrel. But I hope to show in the following pages that for the true explanation of it we must look to deeper and broader causes. I believe that what was said of another great war is true also of this: 'The cause of this quarrel is no dim, half-avoidable involution of mean interests and errors, as some would have us believe. There never was a great war caused by such things; there never can be.'[1] It was not to fill the pockets of greedy capitalists that the British people, sinking in large part its internal differences, set itself in grim determination to 'see this thing through.' It was no paltry difference between details in a Franchise Bill that called forth the enthusiasm of the British race throughout the world. Nor, on the other side, can it have been a mere misunderstanding of the minutiæ of a despatch, or the personal perversity of a self-willed autocrat, that caused the Transvaal Government to make preparations on a scale which has 'staggered humanity,' and that inspired the Dutch burghers to display in the field a courage and a persistence which have won admiration from every generous foe. The ultimate, the fundamental reason of a struggle, so serious, so obstinate,

[1] Ruskin's 'Modern Painters,' vol. iii., part iv., chap. xviii.

and—on one side, at least—so well foreseen, must be found in causes worthy of it.[1]

The conflict between Boer and Briton in South Africa did not begin in 1896 with Dr. Jameson's raid, nor in 1899 with the Bloemfontein Conference, neither does it spring out of temporary or trifling differences. It is essentially a conflict (1) of race, (2) of ideals, and (3) of political ambitions. Some understanding of these deep-lying causes of conflict, some knowledge of the way in which they had made themselves felt in previous circumstances, is essential to any intelligent discussion of the later events which led up to the war. Over and over again, in considering those events, men must have asked themselves why the one side or the other did not on this point or on that make further concessions. The only intelligible answer to such questions is to be found in the working of permanent causes which tended to draw the disputants asunder.

First, then, there was between Boer and Briton a conflict of race. The Dutch and the English in South Africa are, indeed, sprung from the same Low-German stock, and under favourable circumstances a fusion might long ago have taken place among them. But the circumstances, as we shall see, were not favourable, and community of origin is not enough of itself to induce feelings of racial sympathy. Circumstances were not favourable. It is never agreeable for a people to be handed over, as the Dutch settlers in South Africa were in 1814, to an alien government. Sometimes with the best intentions, and sometimes not, the British administration so conducted affairs as to do little to soften the animosity caused by the original transfer of sovereignty. The affair of Slaghter's Nek in 1816 may be taken as an illustration of the way in which racial animosity fastened on

[1] To prevent misunderstanding, it should here be said that what I think may properly be called the philosophic view of history does not cover a fatalistic practice in politics. The fact that a war may, on a final consideration of its causes, be pronounced inevitable does not absolve statesmen from the duty of taking all possible steps to avoid it. It will be seen from the following pages that, in my opinion, neither party to the South African War has a clean record in this respect.

any incident calculated to feed it. Six men were hanged for an outbreak against British authority. The ropes broke, and four of the men rose unharmed. The British authorities horrified the Dutch spectators by hanging the culprits over again. 'It was at Slaghter's Nek,' said Mr. Reitz, in his appeal to the Dutch race at the outbreak of the present war, 'that the first blood-stained beacon was erected which marks the boundary between Boer and Briton in South Africa, and the eyes of posterity still glance back shudderingly through the long vista of years at that tragedy of horror.' ('A Century of Wrong,' p. 6.) It is well known that at the time of the Jameson Raid Mr. Kruger had in Pretoria the very beam of wood on which the six were hanged, and that some of the burghers strongly favoured the idea of hanging the leading Reformers on it. They have long and bitter memories, the men who are born and bred on the solitary veldt.[1]

Mr. Reitz, a highly educated and intelligent man, looking back over the history of British South Africa, sees in it a 'century of wrong,' and an English historian finds a clue through the perplexities of Mr. Kruger's policy in the old man's hatred of the English (Bryce's 'Impressions of South Africa,' chap. xxv.). One of Mr. Kruger's colleagues (Mr. F. Smit, Railway Commissioner), on a public occasion, carried the race feud back even further than does Mr. Reitz. 'They talked,' he said, 'about race hatred in this country. There was no race hatred between the Italians, the French, the Germans, and the Transvaal people. If there was any race feeling, it was against their political opponents of over two

[1] But some can forget and forgive. The officer who carried out the execution at Slaghter's Nek was a Colonel Cuyler. An African clergyman says that the present representative of the Cuyler family was once travelling in a remote up-country district, when he came to a Boer farm, and asked for hospitality. The usual question was put: 'What is your name?' When the answer came, the Boer said: 'Your grandfather hanged my grandfather at Slaghter's Nek; but come in, we will forget all that now,' and the usual kindly Boer hospitality was extended to Mr. Cuyler. (See an article on 'Afrikanderdom' in the *Daily News*, January 5, 1900.)

hundred years' standing' (see report in a Blue-Book, 1897, C. 8423, p. 110).

Among the common people on either side mutual dislike is matter of common parlance. The usual term applied by the Boers (when they talk among themselves) for an Englishman is, adds Mr. Bryce, 'rotten egg,' and everybody on this side has heard corresponding compliments paid to the Boers. Among the English the Boers are supposed to be dirty; among the Boers the Englishman's 'red neck' is proverbial. In the year after Majuba, General Joubert, Commandant-General of the Republic, had written to Matabeleland to seek alliance with the then mighty Lobengula. After recounting how the Boers had made the Englishmen let go of the Transvaal, 'like an ape with a handful of pumpkin-seeds,' by beating him to death, he bids Lobengula expect the time 'when the stink which the Englishman brought with him shall be quite blown away.'[1] 'Oh that all the English had one neck between them, and that I had the axe to cut it off!' was the pious prayer of another prominent Krugerite.[2] 'It is the English that she hates,' the German overseer on 'A South African Farm' explains to Bonaparte Blenkins on his introduction to Tant' Sannie, and it may be feared that the authoress of that clever and widely-read book did something to make the hatred returned, for she paints the Boers as rude, brutal, and savage.[3]

The two peoples had a common religion, but a common religion held with a difference is no dissolvent of popular antipathies. British opinion was impressed by Mr. Kruger's open Bible no more favourably than was Boer opinion by Exeter Hall. To *them* our Christianity was hateful for its softness towards the natives. To *us* their religion savoured too much of the tribal system of the old dispensation.[4]

[1] The text of this letter is given in FitzPatrick's 'Transvaal from Within,' p. 54.

[2] See Paul M. Botha's 'From Boer to Boer and Englishman,' p. 3.

[3] It is curious that Mrs. Olive Schreiner, who is now so hot in her sympathy with the Boers, should in her best-known book have given so repulsive an account of them. Of the Boer at his best Mr. Selous has drawn some attractive pictures.

[4] In a speech delivered in 1890 President Kruger thus distinguished

Thus, in spite of intercourse and intermarriage, in spite of the efforts of many of the better minds on either side, the Dutch race and the English remained separate and hostile in South Africa. The patriotism of each was tinctured strongly with dislike of the other. In 1881 a great English statesman made a supreme effort, by a display of magnanimity[1] rare in history, to disarm the combatants in this racial conflict. But men's minds are narrow, and his 'great deed was too great.' The settlement after Majuba left behind it in the minds of the British a rankling desire for revenge, and in the minds of the Boers an equally dangerous feeling of pride. 'The Boers,' says Mr. Bryce, 'saw in the conduct of the British Government neither generosity nor humanity, but only fear. Jubilant over their victories, and (like the Kaffirs in the South Coast wars) not realizing the overwhelming force which could have been brought against them, they fancied themselves entitled to add some measure of contempt to the dislike they already cherished to the English, and they have ever since shown themselves unpleasant neighbours.'[2] On the other side, the British 'who live in

the burghers, who were of the chosen people, from the other inhabitants of the country: 'All ye multitude, listen with full attention, that you may take hold of what I say. God is in our midst. I shall first address the true burghers who are here to praise God for His Almighty deeds favouring our entire people in the past days and now also. Yes, for you also, murderers, thieves, and even strangers, He works in His own good time, for ye also are of God's image. Thus I name you all His people.' He paused to allow this charitable inclusion to sink into the hearts of the frivolous 'strangers,' and then qualified the concession by a word of caution to his 'true burghers.' 'But for us burghers, it is for us to pay our vows to the Lord.' This was a Dingaan's Day speech, the anniversary of the fierce battle fought on December 16, 1838, when a handful of Boers defeated the powerful Zulu king Dingaan. (For the speech, see *Times*, November 25, 1899.)

[1] It should, however, be remembered that there was another side to Mr. Gladstone's policy. See below, p. 12.

[2] Mr. Merriman's verdict was the same. Speaking in 1885, he said: 'I was one of those who thought that the British Government had been magnanimous in terminating the Transvaal War. How have the Boers repaid the magnanimity of Great Britain? They have done everything to flaunt, insult, and annoy the British Government.' (Speech at Grahamstown.)

the two colonies hold that the disgrace (as they term it) of Majuba Hill ought to have been wiped out by a march to Pretoria, and that the Boers should have been made to recognise that Britain is, and will remain, the paramount power, in fact as well as in name. They feel aggrieved to this day (1897) that the terms of peace were settled at Laing's Nek, within the territory of Natal, while it was still held by the Boers. Even in Cape Colony, where the feeling is perhaps less strong than it is in Natal, the average Englishman has neither forgotten nor forgiven the events of 1881' ('Impressions of South Africa,' chap. xii.).

Even the memories of Majuba might, however, have been wiped out, if the two races had been capable of confronting political questions from a common standpoint. But they were not. The conflict of race in South Africa was, as we shall see in the next chapter, a conflict also of ideals.

## CHAPTER II

### A CONFLICT OF IDEALS

A clash of conflicting political ideals—The Great Trek—Great Britain's 'morbid love of the natives'—The Grondwet and 'no equality'—The 'Chosen People' and the Outsiders—The Boer idea of liberty—The annexation of 1877 and the war—Political effects of Majuba—Lord Randolph Churchill's opinion—The Witwatersrand—Inrush of the gold-seekers—Disfranchisement—Sketch of the Transvaal Constitution—Mr. Kruger's difficulties—British ideals and the republics.

IT is difficult for different races to understand and sympathize with each other. It is difficult, also, for different centuries and different civilizations to do so. All these difficulties combined to keep the Boer and the Briton apart. South Africa, as the war has brought home to us with painful force, is a country of vast distances. The ambition of every Boer farmer, it is said, is to have no other human habitation in sight of him. The presence of another civilization than his own is, and always has been, an equal eyesore. What has really been witnessed on the battlefields of South Africa is not merely a struggle between the Dutch race and the British, but the clash of different civilizations, of alien political ideals. It has been a conflict between the tribal idea of exclusion and the inclusiveness of modern States; between the pastoral State and the industrial; between oligarchy and democracy; between Liberalism and Toryism. In a word, between the modern spirit and the ancient.

What caused the Great Trek of 1836, which is the starting-point of Transvaal history? Many reasons contributed to it, but Mr. Bryce is probably right when he finds the main grievance of the Dutch against the English in 'those native

and colour questions which have ever since continued to trouble South Africa.' Mr. Reitz, in his indictment of British rule in that country, pays to it what most of us will consider a very high compliment. 'Great Britain,' he says, 'is the Power which was celebrated in South Africa for its morbid love of the natives' ('A Century of Wrong,' p. 92). It was to escape from the sphere of this morbid love that the Boer people pursued what Mr. Reitz calls 'their pilgrimage of martyrdom throughout South Africa.' This is one of the roots of the matter. The average Boer, left to himself, did not, it may be, treat the natives very much worse than the average Briton in like circumstances; but the Imperial Government stood out for better treatment than that given by either. This was the motive of more than one act of British policy in South Africa. It was, for instance, as protectors of the natives that the British occupied Natal, and it embittered the Boers against the British Government. As Livingstone wrote:

'The great objection many of the Boers had, and still have, to English law is that it makes no distinction between black and white. They felt aggrieved by their supposed losses in the emancipation of the Hottentot slaves, and determined to erect themselves into a Republic in which they might pursue without molestation the "proper treatment of the blacks"' ('Missionary Travels in South Africa,' p. 29).

The 'proper treatment' implied compulsory unpaid labour and liberal application of the rhinoceros-hide sjambok. 'The Boer emigrants,' says Mr. Bryce, 'seem all through to have treated the natives much as Israel treated the natives of Canaan, and to have conceived themselves to have Old Testament authority for occupying the territories of the heathen and reducing them by the sternest methods to serfdom or submission.'

In this respect we do not know that British colonizers have always differed very much from Boer emigrants; but the influence of the Home Government has been exerted in order to give some protection to the native races, and in the British colonies some political rights have been accorded to them. The idea of looking upon the coloured man as a

potential citizen, or even as a potential Christian—equal before his Maker with the white man—is foreign to the fundamental conceptions of the Boers. The Grondwet, or Constitution of the Transvaal, itself lays down (in Article IX.) that there shall be 'no equality, either in Church or in State, between white and coloured.'[1] It is impossible to conceive of a British constitution-maker laying down such a provision as that. 'Then the greater hypocrites you,' it may be replied. But it is not so. Doubtless the treatment of the native races alike by British Governments and British colonists has often been harsh; but we are treating now of ideals, and the ideal of Exeter Hall is not shared by—nay, it is barely intelligible to—the Boers. And in actual practice the difference between the national ideals makes itself perceptibly felt. In Cape Colony there is no colour line in politics, and no colour test for the franchise. Any native who can fulfil the conditions has as much right to vote as a white man. If he can read and write, and earns a regular salary of £50 per annum, or occupies taxed property of the value of £75, he is entitled to vote. Native constituencies have returned some of the best men in the Cape Parliament. Mr. Rose Innes, for instance, at one time owed his seat to native votes.

Such a system is repugnant to the Boer mind. It will be remembered that Lord Salisbury, speaking in the House of Lords shortly after the outbreak of the war, declared that 'one of the things which must be insisted upon in the future was that due precaution should be taken for the philanthropic and kindly and improving treatment of those countless indigenous races' of whose destiny he feared we had been too forgetful in the past (Hansard, vol. lxxvii., October 17, 1899, col. 22). It was not without significance that among the questions upon which Commandant-General Botha was most anxious to obtain information in his negotiations with Lord Kitchener in February, 1901, was the Kaffir question, and whether the franchise would be given to them (Cd. 528, p. 2).

[1] The text of the Grondwet and of the two Conventions of 1881 and 1884 has been conveniently published by Mr. H. MacLeay, 1899.

Both of Lord Salisbury's points—equality for all the whites and better treatment for the blacks—would be repugnant to the Boer ideals, and both for a similar reason. The Boers believe themselves in all sincerity to be a chosen people. The natives are to them, therefore, divinely-appointed hewers of wood and drawers of water, and, similarly, the newcomers, the strangers, the Uitlanders, are regarded as outside the covenant. The land is the land of the Boer folk, to develop or not as they may choose. The nation is the nation of the Boers, not to be recruited from the outside, but to be kept for the first trekkers and their descendants. No one can read Mr. Kruger's speeches without perceiving how wide a gulf is fixed between his ideas and those which prevail in modern States. He recognises no title to political status other than is derived from birth and race; no method of gaining political rights other than the gun. A deputation from Johannesburg once waited upon him to enter a protest against a certain measure. The President jumped up impatiently. 'What is the good,' he exclaimed, 'of protesting? You have not the guns: I have.'[1] On another occasion Uitlander petitioners were before the Raad asking for their rights. 'Their rights!' exclaimed one of the members. 'Let them fight for them.' The Boers are deeply attached to the idea of liberty, no less deeply than the British; but liberty in the political dictionary of the Boer means freedom from restraint for an exclusive and tribal body, for the family only of the elect, not equal rights for a free community.

This conception takes us back far into past centuries. It is true that where there is great disparity between the degrees of advancement in civilization of the various races inhabiting the same country, the racial theory survives in favour of the higher race. It has been reserved for the Boers to apply it as between two races which (to put it in the light most favourable to them) were in the same degree of civilization. Politically, the conceptions of the Boers are as far behind the age as are the ideas of many of them in other matters. They are the political conceptions of men who 'would arrest

[1] FitzPatrick's 'The Transvaal from Within,' p. 302.

the locomotive in mid-Karoo at twelve o'clock on a Saturday night,'[1] and who, holding locusts to be a plague, as in the days of Pharaoh, sent by God, would regard any measures for their extermination as 'raising hands against the Almighty.'[2]

The conflict of political ideas which I have endeavoured to describe is one of the principal clues to the history of the Transvaal Boers in relation to the British from 1836 to 1881. It explains the Great Trek of 1836. It explains also the annexation of the Transvaal in 1877, and the subsequent war. The Boers had the will to be independent because they desired to carry out their own political ideals. But those ideals were too narrow and too ill-informed to support an Independent State. The British annexation of 1877, whatever else may be said about it, was the result of interference by the British in order to save a bankrupt State from imminent dangers. As soon as the external danger passed away, the Boers rose in arms to resume their independence. Mr. Gladstone granted it to them, though, as we shall see, on strict conditions. The policy of Majuba failed, as we showed in the last chapter, in the moral sphere. It did not wipe out all racial animosities, and cause Boer and Briton to live on an exalted plane of the higher emotions. But it is a mistake to represent Mr. Gladstone's policy as dictated only by magnanimity. It was an act of high policy as well as of the higher morality,[3] and in the political sphere it had, on the state of facts then existing, very much to justify

[1] Mr. Cronwright Schreiner's 'Political Ethics and Political Organization,' 1893.

[2] Debate in the Volksraad, July 21, 1892.

[3] The late Lord Selborne, in his 'Memorials, Personal and Political,' says: 'There were reasons of policy as well as sentiment which made for peace. There was a widespread sympathy with the Boers among the population of Dutch origin predominant in the Cape Colony and in the Orange Free State, and exercising throughout South Africa an important influence. A prolongation of the war might have made that sympathy a source of serious danger; the area of hostilities, and the consequences depending upon them, might have been formidably increased. These reasons added practical weight to the moral considerations which pressed upon us.' See also Lord Kimberley's speech at Newcastle, November 14, 1899.

it. It avoided some immediate dangers, and it made possible some future advantages. A remarkable witness to these facts may be cited in Lord Randolph Churchill, who visited South Africa during the time when Mr. Rhodes seemed to have established a working alliance with the Afrikanders:

'In justice, it should be added,' wrote Lord Randolph, 'that the sagacious policy of Mr. Rhodes has only been made possible by the termination of the Transvaal War in 1881, and by the manner of its termination. The surrender of the Transvaal and the peace concluded by Mr. Gladstone with the victors of Majuba Hill were at the time, and still are, the object of sharp criticism and bitter denunciation from many politicians at home, *quorum pars parva fui*. Better and more precise information, combined with cool reflection, leads me to the conclusion that had the British Government of that day taken advantage of its strong military position and annihilated, as it easily could have done, the Boer forces, it would have indeed regained the Transvaal, but it might have lost Cape Colony. The Dutch sentiment in the Colony had been so exasperated by what it considered to be the unjust, faithless, and arbitrary policy pursued towards the free Dutchmen of the Transvaal by Sir Bartle Frere, Sir Theophilus Shepstone, and Sir Owen Lanyon, that the final triumph of the British arms mainly by brute force would have permanently and hopelessly alienated it from Great Britain. Parliamentary Government in a country where the Dutch control the Parliament would have become impossible, and without Parliamentary government Cape Colony would be ungovernable. . . . On the whole, I find myself free to confess, and without reluctance to admit, that the English escaped from a wretched and discreditable muddle not without harm and damage, but possibly in the best possible manner, and that lessons have been taught to many parties by the Transvaal War which, if learned, may be of the utmost value in framing future policy' ('Men, Mines, and Animals in South Africa,' 1891, pp. 23, 24).

The policy of Majuba did, after all, keep the peace more or less for twenty years. The conflict of ideals was indeed there all the time, not always latent. But the old order might conceivably have been transformed without acute conflict, but for the emergence of a new and unforeseen factor. This factor was the discovery of gold. As Mr. Garrett well puts it, the trouble was not the result

'Of a "double dose of original sin" in any human quarter, but simply of a very singular geographical accident. In all South Africa there was one region which the exclusive pastoral Boer had chosen for his last

stand against civilization—the Transvaal, or, as he significantly renamed it, "the South African Republic." In all South Africa, in all the known world, there is only one gold-field with the exact characteristics as to extent and regularity of the Witwatersrand. And the Witwatersrand must needs crop up in the Transvaal—crop up, too, just when the Great Powers were casting lots for all the rest of the continent still unappropriated, and there was nowhere left for the *trekboer* to go. There was plenty of room for Witwatersrands in neighbouring territories where immigration was regarded as a blessing. Placed anywhere in the million square miles of British South Africa, Johannesburg would never have broken the slumbers of a State Secretary, and President Kruger would be only a name in the "Statesman's Year Book." But geological accident would have it just here, and the human corollaries were inevitable' ('The Inevitable in South Africa,' *Contemporary Review*, October, 1899).

The cropping up of the Rand at once brought up also the latent conflicts of which we have spoken. The gold-seekers came in, and they had the right to come. The right was secured to them by the same instruments that gave the Boers their right of self-government. It is true that in 1881 the gold rush had not been foreseen; but when the mines began to be opened up, it was Mr. Kruger himself who invited the strangers to come in, and promised them every assistance in their enterprises.[1] How did the President fulfil his promises? He did exactly as a man with his political ideas was likely to do. He disfranchised the newcomers, and while using the fruits of their enterprise to enrich the State, he reserved all political rights for the old burghers.

In this connection I may republish a statement which I drew up at the commencement of the crisis. Some knowledge of the Constitution of the South African Republic is necessary in order to understand the rights and wrongs of subsequent controversies:

'THE CONSTITUTION OF THE REPUBLIC.

'The *Executive* (or Uitvoerande Raad) consisted of:

'*The State President.*—Elected for five years by a general election, the electors being "enfranchised burghers" only (Outlanders entirely excluded).

[1] For a further discussion of this subject, and for the documents justifying the statements made above, see Chapter XXV.

'*The Commandant-General.*—Similarly elected.

'*The State Secretary.*—Elected by the First Volksraad for five years.

'*The Secretary for Native Affairs and two Unofficial Members.*—Elected by the First Volksraad for three years.

'*The First Chamber* (or Volksraad).—This consisted of twenty-four members, who must be (1) thirty years of age; (2) free burghers born in the country; or (3) naturalized aliens, qualified as shown below. Johannesburg had only one member.

'*The Second Chamber.*—This also consisted of twenty-four members. For qualifications, etc., affecting Outlanders, see below.

'*Powers of the Chambers.*—The Dual Chamber Bill gave the First Chamber supreme powers and a veto over every act of the Second Chamber. It left it also to the discretion of the President what measures passed in the Second he should send up for the approval or otherwise of the First Chamber. The Second Chamber had no powers in relation to taxation. It did not consider the subjects dealt with by the First Chamber.

'THE POLITICAL POSITION OF THE OUTLANDERS.

'This is a very complicated matter to explain. In order to make it as easily intelligible as possible, I arrange in consecutive form the stages through which an Outlander had to pass on his way to some share in the rights of citizenship:

'1. Fourteen *days* after arrival, enrolment in the Field Cornet's list. (Omission of this formality vitiated all the subsequent stages.)

'2. Two *years* after enrolment in the Field Cornet's list, and after that period of continuous residence, naturalization might be obtained.

'The *costs of naturalization* were—(1) a payment of £5, (2) taking the oath of allegiance, (3) liability to military service.

'If a man omitted to take the oath of allegiance, then his children, even if born on Transvaal soil, forfeited the franchise (Law of 1894).

'The *privilege of naturalization* was a vote for the Second Chamber.

'3. Two *years* after naturalization you became, if thirty years of age, eligible for the Second Chamber.

'4. *Ten years* after eligibility for the Second Chamber was obtained, you obtained both (1) the right to vote, and (2) the vote to be eligible for the First Chamber.

'The right to vote for the President and Commandant-General was not in any case conferred on naturalized aliens; it pertained exclusively to "enfranchised burghers."

'Summing up the stages and conditions enumerated above, it appears that to obtain the franchise for the effective Chamber you must (1) have enrolled yourself in the Field Cornet's list; (2) have resided for fourteen years; (3) during twelve of which you have been without full citizen's rights anywhere, for you have had to renounce your former allegiance,

obtaining only in return liability to military service, the right to vote for the ineffective Chamber, and (during the last ten years of the twelve) the right to sit in the same ; (4) be forty years of age.

'A COMPARISON WITH OTHER SOUTH AFRICAN STATES.

'To understand the position of a settler in the Transvaal, one must inquire what his position would be in other adjoining territories. It is interesting, therefore, to compare the state of things in this respect in the Orange Free State and in the Cape Colony. An inhabitant of the latter moving to the Transvaal required fourteen years' residence, etc., to obtain effective citizenship. An inhabitant of the Transvaal moving to the

'*Orange Free State* required two years' residence for obtaining the same, and to the

'*Cape Colony* required only to take the oath and go through a few other formalities to obtain the same at once.

'In this connection it is interesting to point out that England was not asking the Boer to do otherwise than she had done herself. Just as in the Transvaal the majority is English, so at the Cape the majority is Dutch. "When responsible Government was introduced into Cape Colony in 1873, it was represented that by this course the control of the Cape Parliament would pass from the English to the Dutch, who formed two-thirds of the European population. This fact did not prevent the English Government from carrying out its just intention" (W. Basil Worsfield in *Contemporary Review*, April, 1896).

'A SUMMARY OF "REFORMS BACKWARD."

'It is often said that the Outlanders were too impatient, that President Kruger should have been given time, that the expansion in the Republic had only been in recent years, and that "Liberal Englishmen should have a little patience with a Republic that, taken by surprise, has not reformed its legislative system within the short space of seven years" (F. Reginald Statham in *Daily News*, March 30, 1896).

'In this connection it is interesting to construct a little manual of events. The legislative system of the Republic had no doubt been reformed within the space of seven years, as well as previously, but, unfortunately, the reforms had been, from the Liberal point of view, reforms backward. The principal changes in the alien and franchise laws of the South African Republic were as follows :

'1855.—All white aliens to enjoy equal rights with other citizens on purchase of the right of citizenship.

'1876.—Naturalized aliens to enjoy equal rights with citizens. Naturalization obtained by (1) possession of real property, or (2) one year's residence.

'1881.—Pretoria Convention. The above was the *status quo* at the time of this Convention.

'1883.—Naturalization only obtainable after five years.

'1884.—London Convention. The above was the *status quo* at the time of this Convention.

'1889-90.—The Gold Rush. The above was still the *status quo.*

'1890.—The Second Chamber established. Outlanders to elect thereto after two years; to be eligible after four. But to elect to the First Raad after ten years, and to be eligible after fourteen.

'1893.—The existing law as described above.

'1894.—Children (born in country) disfranchised unless their fathers took the oath of allegiance.

'It will be seen that, so far as effective citizenship was concerned, the "reforms" had consisted in raising the qualification from (1) simple purchase, to (2) one year's residence, (3) to five years, (4) to fourteen years, (5) to fourteen years plus some other conditions' (*Daily News,* April 8, 1896).

Thus deprived of representation, the new-comers, as might be expected, suffered from many practical grievances. It is impossible, on the facts set forth above, to acquit Mr. Kruger of broken pledges. It is fair, however, on the other hand, to remember the difficulties of his position, confronted as he was with so many new problems and strange conditions. Olive Schreiner has an eloquent passage in this connection:

'It is sometimes said that when one stands looking down from the edge of this hill at the great mining-camp of Johannesburg stretching beneath, with its heaps of white sand and débris mountains high, its mining chimneys belching forth smoke, with its seventy thousand Kaffirs and its eighty thousand men and women, white or coloured, of all nations alties, gathered here in the space of a few years on the spot where, fifteen years ago, the Boer's son guided his sheep to the water, and the Boer's wife sat alone at evening at the house-door to watch the sunset, we are looking upon one of the most wonderful spectacles on earth. And it is wonderful, but as we look at it the thought always arises within us of something more wonderful yet—the marvellous manner in which a little nation of simple folk, living in peace in the land they loved, far from the rush of cities and the concourse of men, have risen to the difficulties of their condition' ('Words in Season,' p. 82).

It is impossible to agree with Mrs. Schreiner that the difficulties were surmounted, but impossible also not to recognise how great the difficulties were. In a State wherein modern ideas prevailed the difficulties would have solved themselves by the admission of the new-comers to political

rights; but in the Transvaal modern ideas did not prevail. The inrush of the gold-seekers brought into full force and into the strongest relief that conflict of political ideals which it has been the object of this chapter to illustrate. Mr. Kruger, a tribal autocrat, was called upon to deal with an industrial democracy. Many and acute collisions were inevitable, and they occurred. Yet, even so, the final arbitrament of the sword might, under conceivable conditions, have been avoided, difficulties might have been gradually met, and the inevitable adjustment of the Transvaal Government to its new environment need not have involved the loss of its flag. The conflict of ideals was not on the British side irreconcilable. The maintenance of Britain as the paramount Power in South Africa, and the development of the country in accordance with British ideas, were not inconsistent with the recognition and maintenance therein of republican States.

'If anyone believes,' said Mr. Rhodes in 1892, 'in the friendly relations between the different South African countries, and wishes them to be strengthened, do dismiss this idea of asserting a union, meaning thereby a disappearance of the local flags, the local sentiment, and the local interests in South Africa. If the President of the Transvaal has one specially dear, honest feeling, it is his independence in his flag, and there is nothing more detrimental to our closer sentiment than this talk of politicians on the basis of one South African State right up to the Zambesi, which must mean, to the President of the Transvaal, the disappearance of his flag' (Speech at Kimberley, September 6, 1890).[1]

That was the language of moderation; and to like effect Lord Milner wrote seven years later that 'South Africa could prosper under two, three, or six Governments' (despatch of May 4, 1899, C. 9345, p. 211).

But it was not to be; for the conflict of race and the conflict of political ideals was at the same time a conflict of political ambitions.

[1] Dr. Jameson, in a lecture at the Imperial Institute at the beginning of 1895, had spoken to similar effect. It was a just Nemesis on the plots of Mr. Rhodes and Dr. Jameson that the rising at Johannesburg should have broken down on this very point of the flag.

## CHAPTER III

### A CONFLICT OF AMBITIONS

The so-called 'conspiracy'—What it was and was not—The Transvaal aiming at complete independence—The negotiations of 1883—Attempts to abrogate the Convention of 1884—Territorial ambitions of the Transvaal.

THE British ideal in South Africa before the war was a congeries or a confederation of States—not all of them under the British flag, but all of them accepting British paramountcy. What was it that caused the pursuit of this ideal to bring the British and the Boers to loggerheads? In the previous chapters we have traced some of the permanent elements of disunion, but these are not enough, I have suggested, to account for the whole of the facts. In spite of the obstacles already described, Boers and Britons seemed several times to be drawing together. At the last moment, however, there was always a hitch. There is one theory about Boer policy in South Africa on which, I submit, the facts of recent South African history have never been, and can never be, logically explained. This theory is that the Transvaal was a simple pastoral State, in a backward stage of development, but yet with no desires or ambitions other than were consistent with the Convention of 1884. I propose to subject this theory to examination in the light of (1) the facts of Mr. Kruger's policy (Chapter III.), and (2) the general tendency of 'Afrikander' aspirations (Chapter IV.). This examination will at the same time throw light on the counter-theory of an anti-British 'conspiracy' in South Africa. In a manifesto issued by Mr. Courtney (January 17, 1900) it is stated that 'the so-called Dutch conspiracy to

oust British power from South Africa rests on the most shadowy foundation.' If the controversy is to be made to turn on the word 'conspiracy,' I should be inclined to agree with Mr. Courtney. I have never seen evidence to show that there was a definitely formulated conspiracy between the two Republics on the one side and prominent Dutch colonists on the other to oust British power from South Africa. The conclusion suggested by a study of South African history points rather to a conflict of tendencies, of ideals, of ambitions. The principle of British policy in South Africa in relation to the Transvaal was local autonomy for that State, protected, however, and controlled in its foreign policy by Great Britain. The principle of Transvaal policy was very different. Its ambition was to become an absolutely independent and sovereign State, constantly enlarging its borders and throwing off daughter Republics; so that when the time came for the formation of the United South Africa aimed at by the Afrikander Bond, the paramount power should be that, not of Great Britain, but of the Dutch Republics.

What has been suggested is, then, that the Transvaal Government was resolved to be rid of the last vestiges of British supremacy; that the Orange Free State had been induced to sympathize with them in this object; that an ideal widely held among the Boers was a United States of South Africa, under a Boer flag; that this ideal was cherished by an extreme wing of the Afrikander Bond; and that the Republican propaganda had many adherents among the Dutch subjects of the Crown. This is the rational and historical form of the theory referred to by Mr. Courtney. In this form the statement, so far from having no foundation in fact, is in some measure open to no question whatever; and the assertion, often made, that the theory was an 'afterthought' on the British side is demonstrably incorrect. It was placed on record by Lord Milner in a despatch which preceded the negotiations of 1899, and it had been put forth many years before by other men, whose knowledge of South Africa was wide, and whose freedom from bias against the Boers is beyond question.

The first clause in the series of propositions set out above

—the statement that the Transvaal Government aimed at complete independence of Great Britain—admits of no sort of doubt. The essential documents to study in this connection are in the Blue-Book of 1884 (C. 3947) containing 'Correspondence respecting the Convention concluded with the South African Republic on the 27th February, 1884.' The first thing which will strongly impress the reader is the view put forward by Mr. Kruger of the Convention of 1881. We in this country are in the habit of speaking of Mr. Gladstone's policy therein as a piece of extraordinary magnanimity. To Mr. Kruger, on the other hand, the boot was on the other leg. 'The said Convention,' he remarks (p. 2), 'was only ratified by the Volksraad under compulsion to prevent further bloodshed.' What Mr. Kruger specially objected to was that the Convention was 'a unilateral document framed by a Royal Commission,' and that the Transvaal did not have 'the status of a contracting party.'

Accordingly, what he asked for was that the status established by the Convention of 1881 should be altered by a new instrument founded on the basis of 'two contracting Powers' (p. 5). Here we find the first germ of that claim to the status of a Sovereign International State which Mr. Kruger and his advisers never henceforth for a moment abandoned, which governed their policy for two decades, and which was to play so large and fatal a part in producing the rupture of 1899. In the draft *treaty* submitted by Mr. Kruger and his fellow-delegates on November 26, 1883, care was taken, both in its form and in its substance, to embody the claim to be a Sovereign International State. We need not, however, here examine the draft, though hereafter we shall have to recur to it in other connections; for Lord Derby promptly replied that the treaty was 'neither in form nor in substance such as Her Majesty's Government could adopt' (p. 18). The actual Convention ultimately agreed to contained, as everybody knows, at least one article which was obviously inconsistent with the status of a Sovereign International State. This was Article IV., under which treaties negotiated by the South African Republic were reserved for the approval of Her Majesty the Queen. Mr. Kruger signed

that article. Did he thereby renounce his claim? Not at all. This is a subject on which strange misrepresentations have been made by Mr. Kruger's friends.[1] He accepted the Convention of 1884, indeed, but he accepted it only as an instalment. Like a certain section of the Irish Nationalists, he might accept compromises, but his real aim was to sever 'the last link.' Mr. Kruger himself made no concealment of this fact at the time of negotiating the Convention of 1884.

'It may be,' he wrote to Lord Derby, 'that the people of the South African Republic will even now thankfully accept from Her Majesty's Government some alleviation of the burden imposed upon them; but whatever concessions Her Majesty's Government may be prepared to make, the reciprocal confidence between the British and Dutch colonists will then only revive when Her Majesty's Government also will accept the Sand River Convention as the historical basis of all further arrangements. Any settlement not founded upon this basis cannot but be of a merely temporary character—only upon that basis can a permanent settlement be secured' (p. 4).

The Convention of 1884 was, then, to be accepted only as an instalment. In what directions further instalments were expected was explained by resolution of the Volksraad in ratifying the Convention. Among the points to which the Raad took exception was the delimitation of the Transvaal's boundaries and the right of veto reserved under Article IV. (see 'Correspondence relating to the Status of the South African Republic,' 1899, C. 9507, p. 25). In both respects the Volksraad's resolution corresponded with Mr. Kruger's efforts.

In an article in the *Quarterly Review*, written obviously with authority by one who had personal knowledge of many of the events related, the steady persistence of Mr. Kruger's policy is clearly brought out (January, 1900).[2] 'Just as,

[1] Thus Mr. Cronwright-Schreiner stated in an interview (*Daily News*, February 8, 1900): 'I have never heard any responsible person in the Transvaal express any intention of doing away with Article IV. of the 1884 Convention.' Mr. Schreiner may not have had the opportunity of hearing, but surely he might have read.

[2] The late Lord Loch, in a speech at the Imperial Institute (*Times*, Dec. 8, 1899), made some interesting revelations: 'During the time he was in South Africa he had many conversations with President Kruger,

from the time the Convention of Pretoria was signed, the Boers set to work to procure an alteration in its provisions, so,' says the reviewer, 'they regarded the Convention of London merely as a stepping-stone towards the attainment of a completely sovereign, independent, and international State.' From this position President Kruger never wavered. To abrogate the Convention was his consistent policy, and he would never take any step which might militate against the great object of his life. In 1894 he refused to ratify a draft Convention exempting British subjects from military service. With nearly every European State he made such a Convention. With Great Britain he would not. His object was to embody what he regarded as a concession in a general revision of the Convention of 1884 (see C. 8159, pp. 22, 23). It was on this same point that the negotiations for Mr. Kruger to visit London in 1896 broke down. He made it a condition that the Convention of 1884 should be superseded and Article IV. withdrawn, 'because it is injurious to the dignity of an independent Republic' ('Correspondence relating to Affairs in the South African Republic,' 1896, C. 8063, p. 13). It was on this same rock that the negotiations of 1899 were, as we shall see, dashed to pieces.

The Convention of 1884 limited the Transvaal's ambitions in two ways. It placed the Republic in a position of semi-dependence on Great Britain; and it strictly shut it off from encroachments beyond its borders. Just as President Kruger set himself to abrogate the Convention in the former respect, so also he attempted unceasingly, and in all quarters of the compass, to violate it in the latter respect. The first attempt was made on the west, in the hope of securing control over

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and probably knew him better than any previous High Commissioner. At many interviews, and in many conversations, President Kruger referred to his desire for the independence of his country as regards release from the article of the Convention precluding him from making independent treaties. It was very evident he would never be satisfied with the inferior position of his country as compared with the Free State. He also spoke of being hemmed in on all sides, and always desired a seaport, and even on one occasion mentioned a desire for a navy also. It was evidently his desire to negotiate directly with Foreign Powers on equal terms.'

the great trade route northward. This was stopped by Mr. Gladstone when he sent out Sir Charles Warren's expedition and proclaimed the Bechuanaland Protectorate in 1885. The next attempt to violate the Convention was made in the years 1889, 1890, 1891, when it was hoped to forestall Mr. Rhodes in Mashonaland. To these attempts we shall return in a later chapter (V.). On the complicated story of President Kruger's ambitions eastwards—that is, seawards—the *Quarterly* reviewer gives a very lucid account of Lord Loch's negotiations. Her Majesty's Government, steadily pursuing a policy of conciliation, not only surrendered Swaziland, but offered President Kruger a seaport. There were, however, the following conditions, among others, attached: that the Republic should not, without the approval of Her Majesty's Government, part with the harbour, or enter into any treaty regarding it; and that if any dispute arose with a Foreign Power regarding the harbour, the diplomatic negotiations should be carried on by Her Majesty's Government. President Kruger, who had previously enlarged on the commercial importance of a seaport, declined these conditions. Can any reasonable doubt exist as to his motives? The President tried threats; the concessions obtained for him on the sea-coast might be transferred to some Foreign Power. He also tried intrigues; and in the end Lord Ripon, on the advice of Lord Loch, annexed the territories in question to Zululand. The whole story makes it abundantly clear that the real object of the President, in his eastward extension schemes, was to take another step towards the complete independence of the Republic. To quote the reviewer again: 'What the Government of Pretoria aimed at was an extension of territory which, had it been granted, would have made the Republic the leading and dominant State in South Africa. On the west they tried to secure the control over the great trade route northward; on the north they coveted the territories of the Matabele and of the Mashona; on the east they claimed that all the country which lay between the Republic and the sea should be surrendered to them, so that, with a harbour and a sea-coast of their own, they might take their place as a completely

independent State in the family of nations.' All this is not a matter of argument, but a matter of fact. Nor does it seem to me a case for recrimination.[1] We can understand, and even sympathize, with the aspirations of the Boers. Only, they happened to be irreconcilable with those of the British.

[1] Mr. Merriman was less charitable. 'From the time the Convention was signed the policy of the Transvaal was to push out bands of freebooters, and to get them involved in quarrels with the natives. They wished to push their border over the land westwards, and realize the dream of President Pretorius, which was that the Transvaal should stretch from the Indian Ocean to the Atlantic. The result was robbery, rapine and murder' (Speech at Grahamstown, 1885).

## CHAPTER IV

### 'AFRIKANDERDOM' AND THE BOND

Analysis of the terms 'Afrikander' and 'Afrikanderdom'—'The birth of the Bond'—Mr. Merriman on the struggle for South Africa—Mr. T. Schreiner and Mr. Reitz—'Africa for the Afrikanders'—Uncertainty of British policy—'The South African Republic'—The Transvaal's economic hegemony—The Hollander hopes.

MR. KRUGER, in the ambitious policy which he steadily pursued, as sketched in the last chapter, was closely in touch with aspirations entertained, not only by many of his own burghers, but also by many of the Dutch in other parts of South Africa. He was, in fact, the agent of the Afrikander ideal. At this point it is necessary to make some distinctions. The terms 'Afrikander' and 'Afrikanderdom' are ambiguous, and confusion in this matter has done much to obscure current discussions. Thus, Sir Henry Campbell-Bannerman, in a speech at Manchester (November 15, 1899), had a good deal to say about Afrikanderdom. Whereupon a South African correspondent (*Daily News*, November 15) criticised Sir Henry severely, and charged him, even, with an 'ignorance of South African affairs astonishing in a man of his position.' Sir Henry had said that 'the whole effort of the true statesman ought to be directed, not to reduce and destroy the power of Afrikanderdom, but to build it up and develop it.' He went on to compare it to 'Canadianism.' The South African correspondent challenged these statements. He declared that Afrikanderdom is the very opposite of Canadianism; he wanted to know where, under Sir Henry's patronage of Afrikanderdom, the British South Africans would come in, and he proceeded to accuse the Liberal

statesman of ignorance. But Sir Henry Campbell-Bannerman, we may be quite sure, knew perfectly well what he was talking about. The explanation is, that he was talking about one thing and the correspondent about another thing. What, then, is an Afrikander? The term originated, we believe—or, at any rate, was first defined—after the war of 1881, when the Afrikander Bond was formed. 'He is an Afrikander,' we read, 'who, whether by birth or by adoption, considers Africa as his home and its interests as his own.' According to this definition, Afrikanderdom would mean the spirit of South African patriotism. It would include all South Africans, of whatever origin and whatever politics. Obviously, it is in this sense that Sir Henry Campbell-Bannerman meant to use the word. He cited as 'astounding and ill-omened' the remark attributed to Lord Milner, that he was 'determined to break the dominion of Afrikanderdom.'[1] 'The power of Afrikanderdom,' said Sir Henry Campbell-Bannerman, 'is British as well as Dutch.' Obviously, in that sense of the word, it would be a ridiculous thing for a High Commissioner or anybody else to say that he was determined to 'break' Afrikanderdom. To break the spirit of South African patriotism; to break an Anglo-Dutch union; to break that very equality of the two races under the British flag which is the formula of British statesmen in South African policy—the thing would be not merely 'ill-omened': it would be rank madness. It would, as Sir Henry Campbell-Bannerman said, be the same as if 'the Governor-General had proclaimed that he regarded his mission to be to put down Canadianism.' The fact that Sir Henry likened Afrikanderdom to Canadianism shows clearly in what sense he used the former term. It must have been in the sense of Anglo-Dutch South-Africanism, for the very essence of Canadianism is its broad patriotism, based on equality of the two white races. Canada, in the historic words of its House of Commons, is 'a people which has largely succeeded, by the adoption of the principle of conceding equal political rights to every portion of the popula-

[1] Lord Milner denied using the words. (See the Blue-book, Cd. 43, p. 239.)

tion, in harmonizing estrangements, and in producing general content.' If, then, this is what is meant by Afrikanderdom —if its power be indeed 'British as well as Dutch'—then we may all agree with Sir Henry Campbell-Bannerman that the object of true statesmanship is 'to build it up and develop it.'

So far, then, of 'Afrikander' in its sense of 'South African.' But there is another sense, as anybody might know from the actual situation. How comes it, otherwise, that the Afrikander Bond is in effect not an Anglo-Dutch, but a Dutch body? How comes it also that some eminent Afrikanders (in Sir Henry Campbell-Bannerman's sense) are, nevertheless, among the severest critics of the Afrikander movement?[1]

The aims and aspirations of the founders of the Bond are on record. The organization was founded by three men, Mr. Reitz, Mr. Borckenhagen and the Rev. J. S. du Toit. Mr. Reitz we all know. Mr. Borckenhagen, now dead, was a German, who edited the *Free State Express*, and whose Anglophobia was of the most virulent and persistent type. Mr. du Toit's was not persistent, for in after-years he became, as he still remains, a warm admirer of Mr. Rhodes and a supporter of British paramountcy in South Africa. Mr. du Toit was the conductor of a Dutch paper called *De Patriot*, and in 1882 he republished from it, under the title 'De Transvaal Oorlog' (The Transvaal War), a series of propagandist articles.[2] These articles begin with some

[1] An interesting analysis of the 'Afrikander' movement was given by Mr. Advocate Wessels in a speech delivered at the inauguration of the Paarl Branch of the Guild of Loyal Women of South Africa, June 6, 1900. The speech has been issued in pamphlet form by the South African Vigilance Committee.

[2] This pamphlet was for the first time translated into English in 1900, under the title 'The Birth of the Bond' (published by Mr. Josiah Slater, of the *Journal*, Grahamstown). The pamphlet sketches an outline of future policy for the Dutch in South Africa, which in some respects has been filled in with remarkable fidelity. As the translator remarks, 'With these articles as a key, all the moves of the Bond and of the Republics fall into their place—the enmity practised towards English colonists, the diligent propagation of the Dutch language, the underground war against Imperial influence, the dogged refusal to make concessions to the Uitlanders, the accumulation of war material, the fostering of the manu-

general reflections on the war. There is no mention of English 'magnanimity.' On the contrary, 'proud England was compelled to give the Boers back their land after her soldiers had been repeatedly beaten by a handful of Boers. The little respect which an Afrikander still had for British troops and cannon is utterly done away.' 'The British soldiers have got a fright. They have seen how the Boers shoot. They will take precious good care not to come again to fight with the Boers.' The war had shown that the Boers were a chosen people. 'God's hand has been visible in the history of our people as it has never been since the days of Israel.' The Boers had gained much by the war; they must use it to gain more in the future. The Republics 'must make their own ammunition' and provide themselves with cannon. War must be waged, too, against the English language. It is 'gibberish,' but it serves to introduce English ideas and 'English Parliament laws.' The organization for furthering the anti-English crusade was to be the Afrikander Bond:

'This is now our time to establish the Bond, while a national consciousness has been awakened through the Transvaal War. And the Bond must be our preparation for the future confederation of all the States and colonies of South Africa. The English Government keeps talking of a confederation under the English flag. That will never happen. We can assure them of that. We have often said it; there is just one hindrance to confederation, and that is the English flag. Let them take that away, and within a year the confederation under the free Afrikander flag would be established. But so long as the English flag remains here the Afrikander Bond must be our confederation. And the British will after a while realize that Froude's advice is the best for them; they must just have Simon's Bay as a naval and military station on the road to India, and give over all the rest of South Africa to the Afrikanders.'

Such was the birth of the Bond. Its esoteric aim was stated in the following article of a draft 'Programme of Principles,' submitted to the Bond Congress in 1882, published as an appendix to the published minutes of 1884, and only finally altered in 1886:

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facture of explosives, the consolidation of the two Republics, the assumption of absolute independence, and the declaration of war at the earliest moment it was thought safe.'

'In itself acknowledging no single form of government as the only suitable form, and whilst acknowledging the form of government existing at present, it (the Bond) means that the aim of our national development must be a United South Africa *under its own flag*.'

Branches of the Bond were started on the draft constitution in Cape Colony, the Transvaal, and the Free State. The first Congress was held in 1882 at Graaff Reinet. In the following year a new influence was introduced by the amalgamation with the Bond of Mr. Hofmeyr's Farmers' Protection Association, and henceforth its ostensible programme was more moderate.

Mr. Schreiner told the South Africa Committee that it was a Farmers' League. 'It represents,' he said, 'almost entirely what we may call the country districts; it is not a town organization; it flourishes in the country, not in the towns, and its members, of course, are to a very great extent of Dutch origin, because the Dutch are, after all, the farming people of the country' ('Proceedings of Select Committee on British South Africa,' p. 213). This was its ostensible character, but the Bond has at different times and in different circumstances assumed other aspects. In some incarnations, it was not anti-British at all, and Mr. Rhodes for some years used it as his political instrument. In other aspects it appealed, as Mr. Bryce says, 'nominally to African, but really to Boer patriotism' ('Impressions of South Africa,' p. 502). It included moderates and extremists, and, like similar organizations in Ireland, it had many sides. 'A certain section of the press,' wrote Lord Milner, 'not in the Transvaal only, preaches openly and constantly the doctrine of a Republic embracing all South Africa, and supports it by menacing references to the armaments of the Transvaal, its alliance with the Orange Free State, and the active sympathy which in case of war it would receive from a section of Her Majesty's subjects. . . . Language is frequently used which seems to imply that the Dutch have some superior rights, even in this colony, to their fellow-citizens of British birth.' Lord Milner only described in 1899 what Mr. Merriman deplored in 1885. The speech from which I quote was made in connection with Sir

Charles Warren's expedition in that year. Mr. Merriman saw in Mr. Kruger's policy on that occasion, and in the support which it received from many Afrikanders, clear proof of dreams and schemes to oust British supremacy from South Africa generally:

'The question is,' he said, 'whether we intend to progress along the lines of freedom, of civilization, and respect for law and order, or whether we are ready to take the Transvaal for a model, and have our policy shaped by the Afrikander Bond. . . . From the very first time, some years ago, when the poison began to be distilled into the country, I felt that it must come to this—Was England or the Transvaal to be the paramount force in South Africa? . . . From the time the Convention was signed, the policy of the Transvaal was to push out bands of freebooters and to get them involved in quarrels with the natives. They wished to push their border over the land westwards, and realize the dream of President Pretorius, which was that the Transvaal should stretch from the Indian Ocean to the Atlantic. . . . The Afrikander Bond has made a show of loyalty, while it stirred up disloyalty. Some people, who should have known better, were dragged into the toils under the idea that they could influence it for good, but the whole teaching of history went to show that when the conflict was between men of extreme views and moderate men the violent section triumphed. . . . What could they think of the objects of that Bond when they found Judge Reitz advocating a Republic of South Africa under one flag, and the Rev. Du Toit spluttering out his disloyalty? No man who wishes well for the British Government could have read the leading articles of the *Zud Afrikaan*, the *Express*, and *De Patriot*, in expounding the Bond principles, without seeing the maintenance of law and order under the British Crown, and the objects they have in view, are absolutely different. . . . My quarrel with the Bond is that it stirs up race differences. Its main object is to make the South African Republic the paramount power in South Africa. . . . The great question is whether you wish to remain an integral portion of the British Empire. Do you want to have another flag here—a German flag or a flag of a United South Africa? . . . Do you wish to be members of an imaginary South African Republic, or to continue citizens of a colony under the tutelage of a Power under whom every man is regarded as equal before the law, and whose reign is the reign of freedom and of order?' (Speech at Grahamstown, January 16, 1885).[1]

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[1] Mr. Merriman was not alone at this time in thus defining the ultimate issue. The late John Mackenzie, of the London Missionary Society, to whom the Empire owes more than it ever repaid, published his 'Austral Africa' in 1887. Chapter viii. was entitled 'The Transvaal Struggle for Supremacy in South Africa. The Delegates in England in 1883-84.'

In corroboration of Mr. Merriman, another witness of equal impartiality—in the sense that he has at different times taken different sides—may be called. What, asked Mr. Cronwright-Schreiner on one occasion, is the Afrikander Bond? 'It is,' he said, in answer to his own question, 'anti-English in its aims, its officers and its language are Dutch, and it is striving to gain such power as absolutely to control the Cape Parliament.' What sort of men were they? 'The vast majority of Bondsmen,' continued Mr. Cronwright, 'are nearly illiterate, ignorant, and governed almost entirely by emotion instead of reason; the wisdom of the Bond represents to a very great extent the ignorance of the farming population of the colony' ('Political Ethics and Political Organization,' a paper read to the Cradock Farmers' Association on October 7, 1893, and reprinted as a pamphlet; see *Daily News*, April 20, 1900). Mr. Cronwright may or may not be wrong with regard to the rank and file, or the mass, of the Bondsmen, but among the leaders and influential members in its extreme wing were many men of high intelligence and marked ability. There was, for instance, Mr. Reitz himself. In a letter to the *Cape Times*, Mr. Theophilus Schreiner[1] gave the following account

Some Afrikanders made no secret of their ambitions: 'Never forget, Young Afrikanders! how the English dominion was to your fathers as the kingdom of Egypt, from which the Lord helped them to go free! Keep now from English ways; so, in time, under God's blessing, with His promise, shall the numbers of your people, who possess this land, in the north and in the east parts of South Africa, hereafter be increased tenfold; and it shall be for the Afrikander nation to rule over it, with a confederation of United States of South Africa, strong enough to defend it, not only against the mighty British Empire, but against any European Power' ('The Transvaal Boer Speaking for Himself,' by C. N. J. Du Plessis, 1898, p. 20).

[1] The Schreiner family, by the way, affords a remarkable illustration of the divisions of South African opinion. Miss Olive Schreiner (Mrs. Cronwright-Schreiner) is strongly 'pro-Boer.' Her sister, Mrs. Lewis, is as strongly on the other side. Her mother, Mrs. Schreiner, is a strong supporter of Mr. Rhodes. One of her brothers, Mr. Theophilus Schreiner, is strongly pro-British. Her other brother, the former Cape Premier, occupies a 'neutral' position. Mr. Cronwright took the name of Schreiner on his marriage.

of an interview he had with Mr. Reitz in the early days of the Bond:

'I met Mr. Reitz, then a judge of the Orange Free State, in Bloemfontein between seventeen and eighteen years ago, shortly after the retrocession of the Transvaal, and when he was busy establishing the Afrikander Bond. It must be patent to everyone that at that time, at all events, England and its Government had no intention of taking away the independence of the Transvaal, for she had just "magnanimously" granted the same; no intention of making war on the Republics, for she had just made peace; no intention to seize the Rand goldfields, for they were not yet discovered. At that time, then, I met Mr. Reitz, and he did his best to get me to become a member of the Afrikander Bond, but after studying its constitution and programme, I refused to do so, whereupon the following colloquy in substance took place between us, which has been indelibly imprinted on my mind ever since:

'REITZ: "Why do you refuse? Is the object of getting the people to take an interest in political matters not a good one?"

'MYSELF: "Yes, it is; but I seem to see plainly here between the lines of this constitution much more ultimately aimed at than that."

'REITZ: "What?"

'MYSELF: "I see quite clearly that the ultimate object aimed at is the overthrow of the British power, and the expulsion of the British flag from South Africa."

'REITZ (with his pleasant, conscious smile, as of one whose secret thought and purpose had been discovered, and who was not altogether displeased that such was the case): "Well, what if it is so?"

'MYSELF: "You don't suppose, do you, that that flag is going to disappear from South Africa without a tremendous struggle and fight?"

'REITZ (with the same pleasant, self-conscious, self-satisfied, and yet semi-apologetic smile): "Well, I suppose not; but even so, what of that?"

'MYSELF: "Only this, that when that struggle takes place, you and I will be on opposite sides; and what is more, the God who was on the side of the Transvaal in the late war, because it had right on its side, will be on the side of England, because He must view with abhorrence any plotting and scheming to overthrow her power and position in South Africa, which have been ordained by Him."

'REITZ: "We'll see"'[1] (*Cape Times*, November 6, 1899, and Cd. 43, pp. 191, 192).

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[1] Mr. Reitz's ally, Mr. Borckenhagen, had a somewhat similar conversation with Mr. Rhodes. 'Mr. Rhodes,' he said, 'we want a united South Africa.' And I said: 'So do I. Yes,' I said, 'I am with you entirely; we must have a united South Africa!' He said: 'There is nothing in the way.' And I said: 'No, there is nothing in the way.

In his 'Century of Wrong,' issued by Mr. Reitz as a justification for the war, the State Secretary of the Transvaal threw off the mask. He appealed to his 'brother Afrikanders' to fight for 'a real union of South Africa'—a union, that is, free from the paramountcy of Great Britain. So should 'liberty assuredly rise in South Africa like the sun from out the mists of the morning, just as freedom dawned over the United States of America a little more than a century ago. Then from the Zambesi to Simon's Bay it will be *Africa for the Afrikander*.' This formula with which Mr. Reitz concluded his appeal in 1899 was no new one, invented for the occasion. It had been used in almost identical terms, in the course of President Kruger's appeal to the Free State for assistance in 1881.[1]

'Africa for the Afrikanders.' It was a convenient phrase covering a multitude of meanings, and thus meeting the views of all shades of opinion within the Afrikander Bond. To the extreme wing, to the inner ring, it meant, as we have now seen, a United States of Africa under the Boer system, and as free from Great Britain as the United States of America. Here again, as was said before, there is little occasion for recrimination. The aspirations of the extreme Afrikanders were as natural from their point of view as are the conflicting British aspirations from ours. It is, more-

Well,' I said, 'we are one.' 'Yes,' he said, 'and I will tell you we will take you as our leader.' He said: 'There is only one small thing, and that is, we must, of course, be independent of the rest of the world.' I said: 'No; you take me either for a rogue or a fool. I would be a rogue to forfeit all my history and all my traditions, and I would be a fool because I would be hated by my own countrymen and mistrusted by yours' (Speech by Mr. Rhodes at Cape Town, March 12, 1898).

[1] From Mr. Kruger's appeal to President Brand for intervention, dated Heidelberg, February 7, 1881: 'Freedom shall rise in South Africa, as the sun from the morning clouds, as freedom rose in the United States of America. Then shall it be, from Zambesi to Simon's Bay, Africa for the Afrikander' (quoted in the *Times*, May 24, 1900). President Brand was deaf to the voice of the charmer. Why? Mr. Merriman shall tell us: 'The object of the Bond is to make the South African Republic the paramount power in South Africa. That is the reason of its hostility to John Brand, the Afrikander of Afrikanders—a true friend to the English' (Speech of 1885).

over, easy, I think, to see that there was much in the history and development of South Africa to encourage the extreme Afrikander idea. The policy of the Imperial Government had throughout the century been conspicuous for nothing so much as its instability. As it was seen swinging now this way and now that, men's minds may well have been in perplexity for the future. No one could have lived through the time of wobbling by the British Government without asking himself whether England really cared, whether the English meant in the end to adhere to their largest claims or to be satisfied with the smallest.[1] The settlement of 1881 could not fail to emphasize these doubts. The men who had stood by England found that England, after all, did not stand by herself. What Mr. Gladstone said he would not do in 1880, he did in 1881. It was magnanimous, but it was not stable. The more ignorant of the Boers could not see the magnanimity, because they did not know the overwhelming strength which England held in reserve. All alike, ignorant or educated, could see the instability. The clever young Afrikanders who came over to this country to be educated learnt, no doubt, among other things, that England was strong; but there was little to teach them that she had any firm and consistent South African policy. Was it wonderful that ambitious men began to look for career and opportunities to the possibility of Dutch, rather than British, supremacy?

Mr. Kruger had a will and a mind of his own. His purposes, it was clear, were firmly set. In 1884, as in 1881, he had succeeded in getting from the British Government a large measure of what he demanded. Not the least valuable of the points he scored in 1884 was the permission to adopt the title 'The South African Republic.' With the best intentions in the world, Lord Derby did a very bad stroke for his country in making that concession. The

[1] Some striking remarks in this sense will be found in Mr. Paul Botha's pamphlet already referred to. Mr. Botha is an Afrikander, whose father took part in the Great Trek, and he was for twenty-one years a member of the Free State Volksraad. 'It is the jerky hand on the reins,' he says, 'that makes them jib.'

Bond had then for some time been preaching the idea of 'South Africa' for the Afrikanders. Its founders looked to the Transvaal as the country through which the idea was to be realized. Mr. Kruger went to London, and returned the President of 'The South African Republic.' The influence of words upon thought is very great, and who shall say how many thoughts were set in motion by the fact that the British Government allowed the Transvaal to call itself the *South African* Republic? In the ultimatum of October 9, 1899, Mr. Kruger assumed the privilege to speak in the name or in the interests of 'the whole of South Africa.' Such pretensions seemed to most of us arrogant and absurd at the time; but may it not be that the strong, though imperceptible, influence of language had been working for fifteen years to familiarize men's minds with the idea of the Transvaal as the South African authority?

Then came the discovery of the gold, and the economic hegemony of South Africa was shifted from the British Colony to the Dutch Republic. That Republic, which before had been on the verge of bankruptcy, became rich and powerful. Political ambitions had now material means at their disposal. These developments, coupled with the active propaganda maintained by a section of the Afrikander Bond, may well have served to draw away ambitious minds from the idea of a South Africa under the British flag to the dream of the Dutch United States. To the Hollanders whom Mr. Kruger imported from Europe to fill various Government offices such a dream was naturally enticing. 'The future of England,' wrote the *Handelsblad* of Amsterdam, 'lies in India, and the future of Holland in South Africa. . . . And when, in course of time, the Dutch language shall universally prevail in South Africa, this most extensive territory will become a North America for Holland, and enable us to balance the Anglo-Saxon race.' Such ideas were natural, but they served to aggravate the existing conflict of race and political ideas by adding to it a conflict of ambitions.

To sum up, then. We have seen that just as the 'magnanimous' settlement of 1881 was accepted by Mr. Kruger

only as a lever for obtaining further concessions, so the Convention of 1884 was accepted only as a half-way house to complete independence. The attainment of this independence, and the recognition of the Republic as a Sovereign International State, were the constant aims of his policy. Side by side with these aims, he aimed also at so extending his borders as to increase the power and influence of his State. In all this he was acting in accord with the aspirations of the more extreme wing of the Afrikander Bond. Towards those aspirations the younger and more ambitious spirits throughout Dutch South Africa were powerfully attracted. In the preceding chapters we saw that deep down below the immediate occasion of the present struggle there was a conflict of racial feeling and of political ideals—a conflict between the idea of equal rights for all the white races and the idea of oligarchy by a chosen people. Is it not clear, from the facts adduced in this and the preceding chapter, that there has been at stake also a conflict of political ambitions—a conflict between British and Boer paramountcy in South Africa?

# PART II

## DISPUTES BEFORE THE WAR: 1894—1899

## CHAPTER V

### LORD LOCH AT PRETORIA

Troubles with the Transvaal before the Raid—(*a*) In the territorial sphere: Transvaal 'Raids'; Sir Charles Warren's expedition—(*b*) In the political sphere: Lord Loch's visit to Pretoria—The grievances of the Uitlanders—Lord Loch's opinion of them—'Charged with electricity'—Lord Loch's precautionary measures—Lord Ripon's despatch of 1894.

No statement has been more commonly current in discussions of the South African Question than that the war was the result of the Jameson Raid. Everything was going well—so this statement implies—all difficulties were in course of solution, until Mr. Rhodes and Dr. Jameson embarked on their wicked enterprise. The Raid was the source and origin of all evil. It turned Mr. Kruger from the paths of conciliation to an attitude of suspicion. It sowed the seeds of ill-will between Boer and Briton. It first suggested to the Transvaal Government to arm itself. The bad blood thus generated poisoned the waters of subsequent negotiations, and war ensued.

What we have seen in the preceding chapters will have shown how unphilosophical is this theory of the Raid as the cause of the South African crisis. Roots of evil existed deep down in the permanent causes discussed in the preceding chapters. The theory is also unhistorical, for, as a matter of fact, those causes had already brought Boer and

Briton to the verge of armed conflict on several occasions before the Raid was even so much as dreamt of. These complications had arisen in the (*a*) territorial, (*b*) the political, and (*c*) the economic sphere. That the disputes were not due to the perversity of particular Ministries is sufficiently shown by the fact that they occurred under three several Prime Ministers—Mr. Gladstone, Lord Rosebery, and Lord Salisbury.

To a succession of crises caused by the territorial ambition of the Boers some reference has been made in the last chapter, and only a few further remarks on the subject need here be made. The other complications call for somewhat fuller treatment, for their significance is great, and has not always, I think, been correctly appreciated.

No sooner had the Pretoria Convention been signed than the Boers began to attempt to enlarge the frontiers defined in that treaty. Large numbers of Dutch farmers trekked into Zululand and commenced to settle in the country. In 1884 they felt themselves secure enough to establish a new Boer State, which was proclaimed in August as 'The New Republic.' In order to retain the command of the sea-coast, the British Government hoisted the English flag at St. Lucia Bay in December of the same year. In 1886 the British Government consented to recognise the New Republic, although somewhat curtailing its frontiers. Shortly afterwards it was formally incorporated in the South African Republic.

The Boers pursued a similar policy on the western border, but in this direction the designs of the Dutch expansionists were not so successful. Immediately after the signing of the Pretoria Convention, Boer marauders began to cross into Bechuanaland and to occupy the country. In 1882 they established a small and independent State, which was proclaimed as the Republic of Goshen, and in 1883 another Republic was formed in Stellaland. The next step, that of incorporation with the South African Republic, was only prevented by the armed expedition which Mr. Gladstone's Government sent out to enforce the observance of the terms of the London Convention. In 1884 President Kruger had

despatched Joubert to the western frontier with the ostensible object of preserving order. Joubert, however, ignoring the London Convention, declared the country to be Transvaal territory. President Kruger followed up this step by a proclamation, dated September 10, 1884, in which he proclaimed, 'in the interests of humanity,' that the territory was under the protection of the South African Republic. Upon the protest of the High Commissioner, however, the proclamation was withdrawn. In December, 1884, Sir Charles Warren landed at Cape Town, and marched up-country at the head of 4,000 men. He met with no open opposition, the two Republics disappeared, and the territory became the British colony of Bechuanaland.

In 1891 the Boers made another attempt to extend their frontiers, this time to the northward. The Boers had always looked to the country beyond the Limpopo River as a region where 'a genuine Afrikander nationality might be developed.' As early as 1882 President Kruger had tried to enter into treaty relations with Lobengula. When this territory was acquired by the Chartered Company preparations began to be made in the Transvaal for a great trek. Early in 1891 there seemed every prospect of a large body of Boer farmers rushing the territory by force of arms and numbers. The first warning addressed by Lord Loch to President Kruger produced no result. It was repeated in a stronger form. The High Commissioner concentrated a detachment of Imperial troops on the Transvaal frontier, and the Chartered Company Police and some Imperial troops patrolled the northern border under command of Colonel Gould-Adams and Dr. Jameson. In face of these preparations President Kruger drew back, and prohibited the great trek. It was with reference to these affairs that Mr. Rhodes said of his antagonist, 'The greatest raider in Africa is President Kruger. Once he raided his own people in the Free State, and twice he raided us in Stellaland and at Tuli; in fact, raiding has been taught to South Africa by President Kruger' (Speech at Vryburg, September 3, 1898). Mr. Kruger, on his side, had good reason before the Jameson Raid to dislike Mr. Rhodes. 'Rhodes,' said he on one

occasion, 'you are putting a ring-fence round me, and that is why I am fighting you' ('Cecil Rhodes: Political Life and Speeches,' p. 625).

In the political sphere, Mr. Kruger's coercive policy had nearly brought about an armed conflict in 1894, which was only averted by the firmness of a Liberal Government. The facts of this crisis are of great importance for the right appreciation of subsequent events. Lord Loch's visit to Pretoria in 1894 was in many ways a turning-point in South African history. It first brought to light, if not to a head, the reform movement in the Transvaal. It was the first intrusion of the Imperial factor into the internal affairs of the South African Republic. And in all probability the steps which the High Commissioner took on that occasion in order to safeguard British interests had some effect in causing the Transvaal Government to look carefully to its resources, and to begin arming for conflict.[1]

We are fortunate in being able to tell the story of this crisis in the words of the principal actor himself. It will only be necessary to supplement Lord Loch's statement with a few elucidatory references, in case the reader may not carry the circumstances of the time in his mind.

In June, 1894, Lord Loch visited Pretoria. His visit was concerned with three matters: the position of Swaziland, the commandeering of British subjects, and the other grievances of the Uitlanders. To the first two matters we have already referred (p. 24). On the former point, the British Government made concessions to Mr. Kruger, and the Swazi nation and territory were placed under the control of the South African Republic. On the subject of commandeering, Mr. Kruger made concessions in the particular case on hand, though, as we have seen, he declined to negotiate a permanent convention on the subject.[2] An

[1] This is a theory which always seemed to me probable, and which I frequently put forward in connection with the allegation that the Transvaal only adopted its policy of armaments after the Raid. The theory is confirmed by Mr. Reitz in his 'Century of Wrong.'

[2] Some attempt to commandeer British subjects was made even in 1899 (see C. 9530, p. 2).

important point should here be noticed. Mr. Kruger has often said, and his statement has been accepted and repeated by sympathizers in this country, that 'the Uitlanders never really wanted the franchise, for they refused to go on commando'; or sometimes the statement was, 'They wanted the franchise, and at the same time refused to be commandeered.' The statements are absolutely unjustified. The only foundation for them is that in 1895 (at a date, observe, later than the crisis now under discussion) the Volksraad passed a *besluit* (resolution) empowering the Executive to grant the franchise in special cases in future to Uitlanders who had served on commando, subject, however, to the written agreement in each case of two-thirds of the burghers of the district in which each individual Uitlander proposed to be enfranchised resided. The Uitlanders were to go on commando, and in return *might* be given a vote. What they said was that only citizens should be asked to go on commando. Mr. Leonard explained the matter in his speech:

'There is one duty which only citizens can be called upon to render, that is the duty of risking their lives in military service. . . . I say that it is difficult to perform military service as a duty to the State when we are denied the rights of citizenship. When we are called upon to render military service without having the rights of citizenship, then we are justified in falling back on our position as aliens. There is no inconsistency in taking up that position. We are prepared to fight; but if we are going to do so without being citizens we are not going to do so on terms of partnership between the lion and the jackal. . . . Before they claim our services as soldiers of the country, they must make us sons of the country. I, for one, when I heard of the outbreak in the North, thought it would be a noble thing for Johannesburg to equip a force and present it to the Government; but the attitude of the Government was such, unfortunately, that we do not know even if they would accept any gifts' (C. 3159, p. 44).

With this explanation, we may pass to the next subject: the general grievances of the Uitlanders. The point seemed subsidiary and incidental at the time, but it was in relation to it that the chief significance of Lord Loch's visit is to be found.

'On my arrival at Pretoria, I was met at the station,' says Lord Loch,[1] 'by President Kruger, accompanied by many of his Executive. There was a great crowd at the station, and it was with the greatest difficulty that President Kruger was enabled to have the way cleared for himself and myself going to his carriage. The crowd was a very excited crowd. They removed the President's coachman from the box, and took out his horses. Two men clambered on to the box with Union Jacks, and in this way we were conducted to Pretoria, a distance of from a quarter to half a mile. On our arrival at the hotel where rooms had been prepared for me, there was a great crowd assembled in the streets wishing to present addresses. I reminded those who were anxious to present addresses to me that I was the guest of a friendly Power, and I refused to receive any address unless proper consideration was paid to the President, to his Government, and to the people of the South African Republic. There was much excitement at Johannesburg at this period. I may remind your lordships that Johannesburg is some fifty miles from Pretoria. The excitement existed there, not only in connection with the compulsory commandeering of British subjects to serve in the war with the natives north of the Transvaal, which was then occupying the attention of the Transvaal, but there was also much excitement in Johannesburg in connection with the alleged grievances. They were desirous that I should visit Johannesburg with a view to hearing personally from those interested the whole circumstances and details of their grievances.'

President Kruger, being aware of the dangerous situation and fearing a collision, begged the High Commissioner, as a personal favour, and as 'an act of international friendship,' to give up his intended visit to Johannesburg. This Lord Loch consented to do. He received instead, at Pretoria, a small deputation from Johannesburg.

[1] I quote from Lord Loch's statement in the House of Lords (Hansard, May 1, 1896). The statement was a personal explanation made in refutation of a charge alleged against him by the *Temps* newspaper (April 30), on the strength of evidence alleged to be in the hands of the Transvaal Government, and presumably supplied by somebody with access to that Government's documents. The charge was that the High Commissioner 'proposed to the Reform Committee the invasion of the Transvaal.' It was based on a letter from Mr. Lionel Phillips seized by the Transvaal Government. The official documents referring to Lord Loch's visit were published in 1896 (C. 8159): 'Papers relating to the Commandeering of British Subjects in the South African Republic in 1894, and the Visit of the High Commissioner to Pretoria.' This is a short Blue-Book which should be studied by everybody who desires to go to the root of the matter.

The deputation was from the Reform Union, an association formed on the Rand in 1892 (prior, it will be seen, to the commandeering crisis), 'whose object was to procure, by every constitutional means, a remedy to the grievances under which we were labouring.' The deputation included the Hon. J. Tudhope (formerly a member of the Cape Ministry), the Hon. J. W. Leonard, Q.C., Mr. W. Hosken, Mr. F. H. Hamilton, Mr. E. P. Solomon, other professional gentlemen and a dozen miners, representing different mines. The position taken up by the deputation and the Reform Union which it represented can best be explained in their own words.

In their address to the High Commissioner they stated:

'We respectfully look to your Excellency to uphold the interests of all British subjects in the Transvaal in a manner consistent with the greatness of the traditions of our country, and so as to maintain and strengthen the attachment of our fellow-countrymen to our Queen. Your Excellency will hardly need to be reminded how great are the interests of Her Majesty's subjects in this country; but we would wish to emphasize for Your Excellency's consideration the peculiar difficulties which have lately manifested themselves as being incidental to our position here. Denied the franchise and having recently been subjected to the indignity of seeing a petition presented by 13,000 residents—mainly subjects of the Queen—praying for some relaxation of the unjust franchise laws, greeted with laughter and scorn by the Legislature; having further been informed by the authorities that not only we, but our children, born in the country, can never hope to participate in the more precious privileges of citizenship, our wrongs have lately been accentuated by the circumstance that the Courts and the Government of the State have declared our liability to be called out at any time, without pay or compensation, for compulsory military service, for the carrying out of the laws in the making of which we can never have any voice, and in the enforcement of which we have no interest' (C. 8159, pp. 26, 27).

It will be seen that 'the alleged grievances' of the Uitlanders were felt, and felt keenly, before and apart from the question of commandeering, and long before the Raid or the revolutionary Reform movement, out of which it grew, had entered into anybody's brain. Nor at this time had any 'bloated capitalists' identified themselves with the movement. The grievances, whether real or not, were not an after-thought or an excuse, invented to justify either capitalist intrigues or revolutionary plots. They had caused a Reform

Committee to be organized as long ago as 1892, and they were on the verge of producing an outbreak as early as the middle of 1894. But were the grievances real or only alleged? Lord Loch made no secret of the fact that he considered them very real and very serious. He expressed this view both to President Kruger and to the Home Government. In intimating to the former his willingness to abandon the proposed visit to Johannesburg, he wrote (June 27, 1894, p. 25 in the Blue-Book):

'I am encouraged by your frankness to be equally frank with your Honour, and to explain the views I have formed from an impartial and perfectly friendly observation of the existing situation. The British subjects appear to me to have some very real and substantial grievances, which have not, I think, received such a sympathetic hearing from the Legislature as the residents of Johannesburg, who are the most important taxpayers in the Republic, consider to be due to any respectable and responsible representations that they may make. It is not for me to make any detailed suggestions to your Honour on this subject, but I may bring to your notice one consideration which will prove to your Honour the importance of dealing with any grievances that may exist in a sympathetic spirit. There is, I believe, an alien white population at present in the Republic of about 40,000 persons. A few years may see this population almost doubled, and if they suffered under the same grievances, it would be almost impossible to avert the dangers which have recently threatened. I am sure your Honour will not misunderstand my motives in making these observations. They are made in the spirit of a true friend with a genuine desire to promote the prosperity of the people of this country; and I shall be gratified to learn that any grievances of which British subjects may complain will receive the early consideration of your Honour and your Honour's Government.'

In a subsequent despatch to the Colonial Secretary, Lord Ripon (July 4, p. 19), the High Commissioner wrote:

'The political atmosphere was charged with such an amount of electricity that every moment an explosion was imminent. The legislative and executive enactments which press heavily on the great industry which contributes upwards of £1,000,000 annually out of a total revenue of little more than £1,250,000, without the population that produces this wealth possessing any franchise rights or voice in the government of the country, have created a deep-seated feeling of dissatisfaction, shared alike by the English, American, German, and other foreign residents in the country' (C. 8159, p. 19).

The serious view of the situation taken by Lord Loch, the man on the spot, was fully shared, on mature reflection, by the Government at home. In a despatch dated October 19, 1894, Lord Ripon reviewed the position in South Africa, and first threw out that scheme of 'Franchise First' and of 'Five Years' as the terms of probation which Lord Milner was afterwards to develop at Bloemfontein. After touching on the settlement of the commandeering question, Lord Ripon said:

'Of the remaining grievances, the most important, and the only ones on which I shall touch, are those connected with the question of naturalization as affecting the power of aliens to acquire burgher rights, and especially the franchise, and with the form of the Oath of Allegiance exacted from those whose claim to naturalization is recognised. . . . The principal ground for criticising the policy of the Republic is that, whilst for seven years past it has been gaining wealth and strength by the industry, capital and intelligence of a body of foreigners who, counting adult males against adult males, now exceed its native population in numbers, and greatly exceed them in their contributions to the State, it has been at the same time adding to the stringency of the conditions on which the men who compose this new and indispensable element in the body politic can obtain the full right of participating in public affairs which concern them so vitally, and which they have influenced so favourably. The period of residence, which constitutes the most important condition of naturalization, differs in different countries; but there is a very general consensus of opinion among civilized States that five years is a sufficiently long period of probation, and Her Majesty's Government would wish you to press on the Government of the Republic the view that the period in this case should not exceed that limit as regards the right to vote in the First Volksraad, which is the dominant body, and in Presidential elections. In the absence of any special reasons which are not apparent, it would seem reasonable that the legislation of the Republic should follow that of this and certain other civilized countries in making the qualification for a seat in the Legislature identical with the qualification of voting' (C. 7933, p. 93).

Such was Lord Ripon's suggestion upon these questions, which, as he said, 'stand in need of a solution, if the relations of this country with the South African Republic are to be placed on a satisfactory footing.' The suggestion is of great importance. It shows that the Liberal Government, no less than its Conservative successor, was alive to the

seriousness of the situation, and was of the same mind as to the essence of the difficulty.

Lord Rosebery's Government went out of office too soon for us to know in what manner they would have handled the South African Question when time and patience were found to produce no amelioration of the existing conditions. It should, however, be noted that they had already given proof of their firmness when necessity arose. It was Lord Ripon who stepped in to annex the strip of land which lies between Swaziland and the sea, and who thus finally closed the door on the schemes of the Boers for a railway to the sea-coast—an annexation, says his colleague, Mr. Bryce, 'which may be justly deemed one of the most important events in recent South African history' ('Impressions of South Africa,' p. 210). It was furthermore in responsibility to Lord Ripon that Lord Loch had taken energetic measures in June, 1894. He found, as we have seen, that the 'political atmosphere was charged with electricity.' What action, then, did he take? He made earnest representations, as we have seen, to President Kruger, and upon the Reform Union he enjoined patience and prudence, while promising them careful consideration for their grievances. Lord Loch, however, was also a man of action, and did not confine his treatment to pills or soothing syrup against the earthquake. His further measures were thus explained in the House of Lords:

'In consideration of the excited state of the city of Johannesburg at that time, with the probability—the near possibility at one time—of an insurrection arising in Johannesburg, I felt it to be my duty, in the position I filled as Her Majesty's High Commissioner, to take steps, if necessary, to protect the lives of the British subjects and property of the British subjects in Johannesburg. The steps I adopted were in connection with an assembly at certain points of the British and Imperial Bechuanaland Police. My intention was that if disturbances had arisen in Johannesburg—disturbances resulting from the administration extended by the Republic towards the Uitlanders in that city—it would have been my duty, I considered, to have informed President Kruger that he would be held responsible for the safety of the lives and property of British subjects in the country. I further conceived it to be my duty to inform President Kruger that if he had failed to provide the necessary

protection for the lives and property of British subjects, I should have felt myself at liberty to have taken such steps as I may have felt expedient to give that protection which he had failed to give.'

This grave warning shows clearly enough that trouble in the Transvaal was long antecedent to the Raid. The grievances of the Uitlanders had as early as 1894 so aggravated the situation that 'every moment an explosion was imminent.' In the following year an explosion was imminent in another direction.

## CHAPTER VI

### THE 'DRIFTS' ULTIMATUM

More trouble with the Transvaal—(*c*) In the economic sphere: The Drifts crisis of 1895—Mr. Kruger's ring-fence—Negotiations between Mr. Chamberlain and the Cape Government—Ultimatum agreed upon—The Bond and the Cape Government's decision.

WE have discussed in the last chapter troubles with the Transvaal arising out of (*a*) Mr. Kruger's territorial ambitions, and (*b*) the state of political servitude in which he kept the Uitlanders. In the present chapter, (*c*) a crisis of a different kind has to be related.[1]

In 1895 the policy pursued by President Kruger of attempting to make the Transvaal commercially and politically independent of Great Britain brought the two countries to the verge of war. It was President Kruger's expressed intention to 'build a wall' and 'construct a barbed-wire fence' round the Transvaal which would exclude goods coming from Cape Colony from entering the State. He had long favoured the construction of a railway-line from Delagoa Bay which would compete with the Cape line. Towards the end of 1894 this line was completed, and President Kruger at once took measures to divert all the oversea traffic from Cape Town to Delagoa Bay. In 1891 the Cape Government had advanced £600,000 to the Netherlands Railway Company to enable it to complete the railway-line from the Vaal River to Johannesburg. In return, the Cape Government was allowed to fix the through traffic rates till

[1] The documents will be found in 'Correspondence relative to the Closing of the Vaal River Drifts,' issued in 1897, C. 8474.

the end of 1894, which it did at the rate of 2·4d. a ton per mile.

No sooner, however, had the agreement expired than the company raised the rates on the short strip of fifty-two miles of rail from the Vaal to Johannesburg to almost 8d. a ton per mile on all oversea goods. At a single blow the Cape was thus deprived of customs dues and railway-rates, for this prohibitive rate was clapped on in the interests of the competing line from Delagoa Bay. In order to avoid paying the excessive rates, importers unloaded their goods south of the Vaal, placed them in ox-waggons, and crossed the river by the Drifts. Throughout the summer of 1895 as many as 120 waggons a day passed the Vaal. Apart from the question of the rates, the Netherlands Company did not possess sufficient rolling-stock to deal with the congestion of goods traffic.

As this attempt to starve the Cape railways had not proved drastic enough for the purpose, President Kruger took a step which aroused intense indignation in Cape Colony. On October 1 he issued a proclamation closing Viljoen's and Zand Drifts as ports of entry for oversea goods. The Cape Cabinet, of which Mr. Rhodes was Premier and Mr. Schreiner Attorney-General, protested strongly against the proclamation as a violation of Article XIII. of the London Convention:

'Nor will any prohibition be maintained or imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions which shall not equally extend to the like article coming from any other place or country.'

The only effect of this protest was an intimation from the Transvaal Government that they were prepared to extend the prohibition to colonial as well as to oversea goods. The Cape Ministers, 'having exhausted all other remedies,' then made an urgent appeal to the British Government to maintain the Convention, and 'to give such instructions as may be necessary to insure its due observance.' Mr. Chamberlain replied that he was willing to send a strongly-worded message to President Kruger, provided he was assured that

the Cape Government would not draw back at the last moment. If Her Majesty's Government took the matter up, he wrote, they could not allow it 'to drop until they have obtained a compliance with their demands, even if it should be necessary to undertake an expedition for that purpose.' He asked for a 'most explicit undertaking in writing' from the Cape Ministers that, if it became necessary to despatch an expedition, the Cape Parliament would bear half the gross expense, furnish a fair contingent of the fighting force, and give the full and free use of its railways and rolling-stock for military purposes.[1] The Cape Ministry, without hesitation, unanimously accepted these terms. A message which characterized the closing of the Drifts as 'an unfriendly action,' calling for the 'gravest remonstrance,' was sent to President Kruger. The ultimatum had its effect. The Drifts were reopened on November 5, and the Transvaal agreed to issue no further proclamations on the subject without previously consulting the British Government.

The gravity of this crisis over the Drifts is clear. The importance of its evidence to Mr. Kruger's designs and persistent unfriendliness are obvious. The fact that in this quarrel the Cape Ministry was prepared to assist the Home Government in war against the Transvaal has been used to cover a very wide proposition. Mr. Rhodes was Premier, but he relied on the Dutch vote. Therefore, the Bond supported the Drifts ultimatum. Therefore, their loyalty is beyond question. The argument is fallacious at every point. The secret agreement remained secret for more than a year. When it was divulged it came as a startling surprise to politicians outside the Cabinet. Many, especially many Bondmen, scouted it as incredible, till the Papers of 1895 were called for and produced in the session of 1897. The Ministry which made the agreement had then ceased to exist; of its members, the Bond has since opposed all those who justified the agreement. The single exception was

[1] At the request of the Cape Ministry this written undertaking was treated as strictly confidential, and not to be made public unless it should become necessary to take action upon it. This point is of some importance.

Mr. Schreiner, who did what he could to minimize his action. But his reprieve was short-lived, and when another and more serious crisis came, and he did loyally, if tardily, support the Imperial Government, he incurred the Bond's displeasure and fell. Mr. (now Sir Pieter) Faure, who was also in the Rhodes Ministry of 1895, was opposed at the next election; he was denounced as a 'false Afrikander,' was turned out of his old seat at the Paarl, and had to seek refuge in an anti-Bond constituency.[1] 'The truth is,' as Mr. Garrett has concisely put it, 'that the attempt to strike a blow at the Cape railways by the closing of the Drifts was a thing which all Cape Colonists naturally resented, and which the most Kruger-ridden Bondmen could scarcely defend; but the minute it was known that the trick had been defeated by an Imperial ultimatum, so that the issue was once more, what Mr. Merriman had defined it in 1885, the issue whether "England or the Transvaal was to be the paramount force in South Africa," the Bond swung at once to the side on which Mr. Merriman said it stood in 1885, and on which it stands to-day' (*Times*, May 14, 1900).

A similarly fallacious deduction has been drawn from the fact that the Cape Dutch in 1898 passed the Navy vote—a vote in aid, it may be said, of the Imperial Navy. The ideal of one extreme Afrikander school was always British paramountcy at sea, as the cheapest form of protection, and Dutch-Republican paramountcy in South Africa. The vote proved little either way. But one effect the two incidents—the Drift ultimatum and the Navy vote—did have. It was to confirm the British Government for a time in the policy of patience. They waited to see whether the Transvaal Government would of itself introduce reforms, and whether the influence of Cape Afrikanders would be of any avail in that indispensable direction.

[1] Sir Pieter Faure was guilty of another sin. In 1897 he accompanied Lord Milner on a tour, and in a speech at Port Elizabeth, following his Excellency, he fell into what was heresy in the opinion of the Bond. He said: 'Let them not say "Africa for the Afrikanders," but rather "Africa for all"' (*Cape Times*, September 11, 1897).

## CHAPTER VII

### THE RAID

The evil effects of the Raid—Lord Russell on the consequences of the crime—The Select Committee on the embarrassments caused by it —The Raid a perversion of a legitimate Reform movement—The Reformers disarmed thereby—The Raid a symptom rather than a cause.

THE facts which have occupied us in the last few chapters will enable us to see in its true perspective and relations the stirring and lamentable incident which forms the next landmark in South African history. The Jameson Raid is often spoken of as the cause of the war. It was not that, but it was a blunder and a crime, and it had the most serious consequences. As the Lord Chief Justice (Lord Russell of Killowen) said, in sentencing Dr. Jameson and his companions (July 28, 1896): 'In the case of most crimes the consequences end with the actual facts which constitute the crime itself, and which are directly connected with it. In this case we know the immediate consequences of your crime have been the loss of human life, disturbance of the public peace, the creation of a certain sense of distrust in public professions and public faith. These were the consequences, but whether the end of them I will not stop to inquire.' A year later (July 15, 1897) the tardy report of the South African Committee, in its condemnation of Mr. Rhodes, made the same point:

'Mr. Rhodes occupied a great position in South Africa. He was Prime Minister of the Cape Colony, and, beyond all other persons, should have been careful to abstain from such a course of action as that which he adopted. As managing director of the British South Africa

Company, as director of the De Beers Consolidated Mines and the Goldfields of South Africa, Mr. Rhodes controlled a great combination of interests; he used his position and those interests to promote and assist his policy. Whatever justification there might have been for action on the part of the people of Johannesburg, there was none for the conduct of a person in Mr. Rhodes' position, in subsidizing, organizing, and stimulating an armed insurrection against the Government of the South African Republic, and employing the forces and resources of the Chartered Company to support such a revolution. He seriously embarrassed both the Imperial and Colonial Governments, and his proceedings resulted in the invasion of the territory of a State which was in friendly relations with Her Majesty, in breach of the obligation to respect the right to self-government of the South African Republics under the Conventions between Her Majesty and that State.'

There was another element in the case which the Raid most seriously embarrassed, and that was the Reform movement in the Transvaal. Into the story of the Raid itself, and into some of the vexed questions arising out of it, such as the precise relations of Mr. Rhodes to Dr. Jameson, the Raiders to the Reformers, and of the 'plan' to the Raid, it is unnecessary to enter here. These things are the subject of a considerable library of books, and though they present many and piquant points of interest, both tragic and comic, they are not essential to the theme of the present argument, the object of which is to present the causes of the war, the rights and wrongs of the South African Question, in their historical relations. What for this purpose is essential to remember is the local circumstances out of which the Raid grew. That bad and blundering complot did not spring causeless from the hot head of Dr. Jameson, as he read the 'Life of Clive' on the stoep of Government House, Bulawayo, and said to himself, 'Clive would have done it.'[1] It was a plot hitched on by its authors to an existing state of things. It was the perversion into a revolutionary movement from the outside of a Reform movement which had long been maturing within. We left the Reformers in Chapter V. quieted down for the moment by Lord Loch's assurances, and trusting to Her Majesty's Government 'to obtain for British subjects in the South African Republic early recognition of

[1] For the incident here referred to, see F. E. Garrett's 'Story of an African Crisis,' p. 29.

their political rights and privileges as law-abiding citizens who have contributed so largely to the progress and prosperity of the State.' The High Commissioner had counselled them to use constitutional means for securing the redress of grievances, and shortly after his return to Cape Town a mass meeting, convened by the Transvaal National Union, was held at Johannesburg 'to consider the political situation.'[1] The speeches are important, as showing the programme on which the Reform movement was at this time being conducted. Mr. J. W. Leonard, Q.C., was the first speaker. 'What we want,' he said, 'is to be free men in a free State. Our policy is written so that all men may read. That policy consists in the broadening of the basis of government; of adapting the constitution in a new country to the needs of a new country; the taking in of the sinew and bone and strength which come with a new population; a fusion of the populations to arriving at one common end—the good of South Africa. What we want is nothing more than a Republic in deed and in fact. A Republic broad-based upon the people's will—the people, and not one little section—of every man who comes to this country, and is prepared to say, "I have come here to stay, and this is my land." It is our duty and our right to agitate; it is the only method by which we can show that we intend to have our political rights. We intend to agitate and agitate till we get our way.' The other speaker was the well-known advocate, Mr. Wessels, the leader of the Pretoria Bar, who introduced himself as a man who had 'not one solitary drop of English blood in his veins.' The object of the National Union, he said, was not in any way to see the British flag once more floating in the country. Its object was only to see good government in the country. The majority in the Raad kept the Uitlanders out, because they found they would not be able 'to work the shekels.' If that policy were persisted in, 'blood would be shed in the streets of Johannesburg, and who would be to blame? It would not be the Uitlanders; it

[1] A full report of the speeches delivered at this meeting is No. 29 in the 'Commandeering' Blue-Book (1896, C. 8159).

would not be the strangers who sought by every possible means to obtain a voice in the affairs of the State; not the men who tried to protect themselves and obtain freedom for themselves, but the fatal thirteen in the Raad. The argument of the rifle is a nasty one; it is an argument which I have heard used by burghers in Pretoria; but God forbid that it should come to that.'

It is impossible for any Englishman to study the Reform movement in the Transvaal without sympathizing with its objects and admiring those who threw themselves into its work.[1] They were at this stage not capitalists, but for the most part were of that middle class by which in our own country also so much of the brunt of the battle of reform was borne. The growth of the Reform movement in the Transvaal had in one way a very literally deep cause. 'About 1892,' says Mr. Bryce ('Impressions,' p. 518), 'the theory was propounded that the gold-bearing reefs might be worked not only near the surface, but also at much greater depths, and that, owing to the diminution of the angle of the dip as the beds descend into the earth, a much greater mass of gold-bearing rock might be reached than had been formerly deemed possible. This view, soon confirmed by experimental borings, promised a far longer life to the mines than had been previously expected. Those who had come to the Rand thinking they might probably leave it after a few years, now conceived the idea of permanent residence, while the directors of the great mining companies, perceiving how much their industry might be developed, smarted more than ever under the maladministration and exactions from which the industry suffered.' Gradually the capitalists came into the Reform movement, and as the methods of constitutional agitation remained devoid of any results, talk began of an armed rising. The actual plans devised by Mr. Rhodes and

[1] Among those who thus sympathized with it was, it is interesting to know, Mr. Merriman. He was in communication with some of the Reformers at the time, and afterwards in the Cape Parliament argued that their grievances were real, and that they were justified in taking up arms. (See Reuter's message from Cape Town in daily papers of August 5, 1898.)

his fellow-conspirators were known only to a few, but towards the end of 1895 revolution was in the air. Mr. Bryce, who was there at the time, says that everyone talked of it, though few had any idea of the form it was actually to take. The situation towards the end of 1895 was, in fact, the same as Lord Loch reported in the middle of 1894.

What would have happened if Dr. Jameson had not, in Mr. Rhodes' phrase, 'upset the apple-cart,' it is impossible to say. What actually happened was the worst that could have happened. Those who were essentially in the right were placed, by the action of Mr. Rhodes and Dr. Jameson, in the wrong. Those who were essentially in the wrong were placed in the right. Every bad influence was enormously strengthened. Racial animosities were intensified throughout South Africa. The retrograde ideas of policy prevailing with Mr. Kruger and his set were now invested with a semblance of justification. The miscarriage of the plot and the ludicrous incompetence displayed by the British as conspirators strengthened the self-confidence of the militant Boer. Every influence in the other direction was proportionately weakened. The Reformers in the Transvaal were in every sense of the word disarmed. Mr. Rhodes' influence with a section of the Afrikander party in Cape Colony was destroyed, and for the time the hands of the Imperial Government were tied.

All this is true, but it is not all the truth, though to this day there are many in this country who have never been able to see any further. To readers of these pages who have followed the argument so far, who have traced permanent causes producing a succession of crises in the Transvaal, it will, I think, be clear that the Raid was essentially not the cause of trouble in South Africa, but a symptom of it, and that, therefore, though it may have furnished an excuse for Mr. Kruger's policy, it was no justification. To practical statesmen in both countries this aspect of the situation presented counsels of prudence which, as we shall see, they very imperfectly followed.

# CHAPTER VIII

## THE COMMITTEE OF NO INQUIRY

The situation after the Raid—The British Government should have been 'prompt in inquiry, slow in diplomacy'—Mr. Chamberlain's haste—Publication of the 'Home Rule for the Rand' despatch—Lord Rosmead converts Mr. Chamberlain—The inquiry postponed—A 'Committee of No Inquiry'—Insinuations against Mr. Chamberlain—The missing cables—Mr. Chamberlain's whitewashing of Mr. Rhodes—Effect on Mr. Kruger: his interview with Mr. J. B. Robinson.

THE Raid provided Mr. Kruger with an excuse, not with a justification. Therefore, the duty of British statesmen was to do everything in their power to take the excuse away. The Raid was a symptom of permanent elements of disorder in the body politic, not the cause. Therefore it was the duty of Mr. Kruger to apply, in circumstances unexpectedly favourable to him, some permanent remedy. Up to a certain point the proper course was taken on both sides. Mr. Kruger showed a wise magnanimity in sparing the lives of the Reformers, Mr. Chamberlain did his obvious duty in disavowing the Raid, and in bringing the Raiders to trial. He also did right in clipping the wings of the Chartered Company. Military functions were so entirely taken away from it that it no longer had control even of a single policeman (for details, see C. 8732). But beyond these initial stages neither the British Government nor Mr. Kruger can be acquitted of serious blame.

What Mr. Kruger ought to have done was to disarm the Uitlanders by some immediate and moderate measure of reform. What the British Government ought to have done

was to institute at once, and to press home, a searching inquiry into the whole circumstances of the Raid, and in the meantime to have made no attempt to force the pace in the Transvaal. This double point of view was presented by the present writer in the daily paper of whose policy he was then in control with an almost daily iteration which his readers may well have found tedious. One or two short extracts may, perhaps, be pardoned to him now in order to illustrate the point of view here assumed. In the first article which he contributed to the journal in question, it was said:

'The key to the situation in South Africa is the redress of the grievances of the Uitlanders in the Transvaal. "Force is no remedy." The force which Dr. Jameson so unhappily thought to apply cured nothing. And neither will the disarmament which the Boers and the British High Commissioner effected cure anything. So long as the root of the evil is untouched, symptoms of disturbance will inevitably recur; and sooner or later it is tolerably certain that the Uitlanders must succeed. It is idle to suppose that a large and growing community of English-speaking men, accustomed to free institutions, can for ever be kept under the heel of an oligarchy. Sooner or later, then, their deliverance must come. But it may make just all the difference to the future of South Africa how it comes. We want it to come not after another race war, and not so as to result in the creation of a Republic, speaking the English tongue, but hostile to England in sentiment. . . . A Boer Republic with its internal independence secured, a Rand with its local liberties secure; on such terms, and on some such terms only, can the peaceful development of South Africa, under the protection of this country as the paramount Power, be secured' (*Daily News*, February 10, 1896).

A few days later the other aspect of the case was taken up (and never for many days at a time dropped):

'The case for a full inquiry into the Chartered Company remains stronger than ever. To demand such inquiry is in no way to prejudge the issues, for the simple fact that there are admitted actions and avowed intentions which raise suspicions on the face of them. To clear up such suspicions is obviously necessary. Public policy and private justice alike require it. Was the Chartered Company in any way privy either to the Jameson Raid or to the Johannesburg rising? If it was, what did it do, and why? These are questions surrounded with every kind of suggestion, suspicion, and insinuation; and the sooner they are answered the better' (*Daily News*, February 15, 1896).

It will be convenient for the better sequence of the

subsequent argument to deal first with the delay in the British inquiry, and to proceed in the next chapter to deal with Mr. Kruger's delay—a delay that was never redeemed—in instituting reforms.

The case for immediate and searching inquiry, as put forward in the articles above referred to, was very simple, and in the retrospect will require little elaboration. The dilatory pleas urged by the Government at the time are no longer likely to convince anybody. The chief of them was that to open the inquiry at once would have been to prejudice the trial of the Raiders. But the inquiry as originally contemplated was to have included an investigation into the Chartered Company's administration generally; indeed, as originally drafted the terms of reference included nothing else. There was not even any colourable reason why the Committee should not have started at once on this branch of its labour, which in the end it shirked altogether on the ground of no time; it had nothing whatever to do with any of the issues involved in the trial of Dr. Jameson. To anyone who sat through the proceedings of the Committee, as I did, the plea was ludicrous, for day after day the Committee pursued inquiries into branches of the Transvaal Question which likewise had no connection whatever with any material issue in that trial. The reasons for prompt inquiry were obvious. The inquiry had been promised to Mr. Kruger. It was due no less to the honour of the Government itself. The case was admirably summed up by Lord Rosebery in a speech at Newton Abbot on May 15, 1896:

'In that matter it seems to me that there is no room for delay, and that promptitude is of the very essence. I think we owe the promptest, the most searching, and the most impartial inquiry, not merely to South Africa, not merely to Europe, not merely to ourselves, but also to the persons who are accused. We owe it to South Africa to show that in this matter we mean to do impartial justice, that we mean to deal fairly as between neighbours and neighbours, and that we shall not allow our national honour to be suspected or tampered with by any delay in the course of justice. In the next place, we owe it to Europe. I am sorry to say that in Europe the innocence of our intentions is often suspected, and never more than on the present occasion. Half Europe, or the

press of half Europe, profess to believe that we, our Government, and our people, were part and parcel in the recent Raid upon the Transvaal Republic. Well, if we show any symptoms of delaying or shirking or frustrating any inquiry, that belief will be strengthened beyond all opportunity of revocation.'

'Your stale and fly-blown investigation will be held,' said Lord Rosebery on another occasion, 'when nobody cares what you think, and when all the facts of the case have long been before the public' (House of Lords, June 15, 1896; Hansard, 4 S., vol. xli., p. 1047). The prediction was entirely verified. The Committee did not report till the middle of July, 1897, or eighteen months after the Raid. An inquiry thus deferred could do nothing to mitigate the dangers and difficulties of the situation. Rather did it tend to reopen old wounds and to revive bitter animosities.

'Your inquiry,' said Lord Rosebery, 'should have been prompt, your diplomacy slow.' Mr. Chamberlain reversed the process. His inquiry was slow, but his diplomacy was quick and tripped itself up. He announced that Mr. Kruger was coming to London to talk things over. Mr. Kruger did not come for a reason already explained (p. 23). He had no intention of coming except in return for Article IV. of the Convention of 1884. Mr. Chamberlain wrote a despatch formulating a scheme of Home Rule for the Rand. The suggestion was in itself one which Mr. Kruger might very wisely have adopted. But Mr. Chamberlain spoilt its chance of success by publishing the despatch, and publishing it, too, before Mr. Kruger had seen it. Had it not been published, Mr. Kruger might conceivably have adopted the suggestion, for he could have made it his own, and carried it out as a magnanimous concession. As soon as the despatch was published, it became certain that Mr. Kruger would not listen to the plan, for he was in no mood to have his hand forced. Presently Mr. Chamberlain came to perceive this. To the late Lord Rosmead belongs the credit of this conversion.

Mr. Chamberlain was 'left in great perplexity' (January 15, 1896) by the High Commissioner's inaction, 'assumed that negotiations were in progress between him and the President'

for the instant redress of the Uitlanders' grievances, and told Lord Rosmead that 'it would be his duty to use firm language.' The reply of the High Commissioner to this despatch was equally emphatic, and met the Colonial Secretary's categorical imperative with a categorical refusal. The High Commissioner had no idea why Mr. Chamberlain was perplexed, and no time to bother his head about it. As for the Uitlanders' grievances, he had not discussed the question with the President at all, nor did he intend to do so. He declined to communicate the Colonial Secretary's despatch, and as for 'firm language,' it would be hopelessly 'inopportune.' Mr. Chamberlain accepted Lord Rosmead's arguments.

To see this, one has only to compare the despatch above quoted with Mr. Chamberlain's speech in the House of Commons, August 11, 1896. 'Is it not possible,' he said, replying to Sir Ellis Ashmead-Bartlett, 'for the hon. member to see that whatever may have been the grievances of the Uitlanders at the time of this Raid, which, I think, even he did not attempt to defend, there must undoubtedly have been a feeling of irritation on the part of the people of the Transvaal, and that common prudence demands that at all events we should give time for that feeling of irritation to subside, and that we should not base upon our own wrong a demand for reform that would be absolutely unjustifiable under such circumstances.' Again, Mr. Chamberlain, in the House of Commons on May 8, 1896, said further: 'In some quarters the idea is put forward that the Government ought to have issued an ultimatum to President Kruger, an ultimatum which would certainly have been neglected, and which must have led to war. Sir, I do not propose to discuss such a contingency as that. A war in South Africa would be one of the most serious wars that could possibly be waged. It would be in the nature of a civil war. It would be a long war, a bitter war, and a costly war, and it would leave behind it the embers of a strife which, I believe, generations would hardly be long enough to extinguish. Of course, there might be contingencies in which a great Power has to face even such an alternative as

this. If some of those wild rumours which grow like mushrooms on the soil of South Africa, and which are one of the most disturbing factors in any negotiations—if some of those wild rumours which attribute to President Kruger a design to break the Convention or actually to make an armed attack on Natal were true, we should have been on the defensive; but to go to war with President Kruger in order to force upon him reforms in the internal affairs of his State, with which successive Secretaries of State, standing in this place, have repudiated all right of interference, that would have been a course of action as immoral as it would have been unwise' (Hansard, 4 S., vol. xl., pp. 914, 915).

Common prudence was undoubtedly on the side of promptness in inquiry and caution in diplomacy. We now know that common prudence was reinforced by another consideration. The Transvaal Government were piling up enormous armaments, and the British Government knew it; but Mr. Balfour and his colleagues dared not take any counter-steps in time, either by way of remonstrance or in the direction of preparations of their own. They felt that the Raid tied their hands[1]—for the Transvaal Government

[1] 'Perhaps I shall be asked, Why did the Government, knowing that armaments were being accumulated in the Transvaal, not enter a protest two years ago, and declare that either the armaments should cease, which could by the nature of the case be directed against nothing but this country and her colonies, or else that we should regard it as a cause of quarrel between us and the Boer Government? There was a conclusive reason, and a melancholy reason, why that argument should not have been used to the Boer Government. Our hands were tied and our mouths were closed at that time by the Raid. How could we say to the Boer Government, "You must disarm; you have nothing to fear from us; your armaments, if you accumulate them, must be directed not to self-defence, but to aggression"? How, I say, could we use that language when three years ago an expedition composed of our countrymen had, from British territory, made an onslaught—a feeble and ineffective onslaught, it is true, but still an onslaught—on the Boer Government? We were helpless in the face of that argument. That argument could never be used in the face of public opinion and in the face of Europe, for it was always open to the Boer Government to say that these arms that were accumulating, these munitions of war which were choking their

believed that the Imperial Government had been mixed up in the Raid. This was all the more reason why not a moment should have been lost in dispelling that suspicion. But the inquiry was not prompt; neither, when it did at last come, was it searching. It stopped short precisely at the point where it ought to have gone on. By the time the Committee met there was very little left for it to find out: Dr. Jameson had already been tried; the Cape Committee had reported. But there was one essential matter which had been opened, but not investigated before the Judge and jury, and which the Cape Committee had no sufficient means of exploring. That point was the complicity or foreknowledge, if any, of the Colonial Office. This was a matter which the Select Committee of the Imperial House of Commons alone had the power of clearing up, and which it was especially bound, as representing the body to which Ministers are responsible, to clear up. Suspicions, innuendos, and insinuations had been spreading and strengthening for months past. In many minds they had crystallized into convictions. Nor were these suspicions confined to irresponsible Chamberlain-baiters at home or to Continental Anglophobes. The Lord Chief Justice, in his summing-up at the trial of Dr. Jameson (July 28, 1896), had referred to evidence given before him which bore upon this point. The evidence in question, he said, was 'very grave—grave outside the particular alleged offence into which they were inquiring, because undoubtedly, if there were any foundation for the statement, it would be a most serious reflection upon the good faith of the Government of the Queen by her representatives, both at Natal and at the Cape.' Sir James Sivewright, speaking in the Cape Parliament, had said:

'It was thought that the English Government and Chartered Company in London knew a great deal more about the business than had come out; and it was thought that if the Chartered Company were not active parties in the Raid, at all events they turned a blind eye to what was going on. Until the last vestige of suspicions of this kind was

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arsenals, were intended, not for aggression, but simply as a measure of precaution and self-defence against a possible raid taking place from our territory' (Mr. Balfour at Manchester, January 8, 1900).

removed they would continue to have race feeling in the country. It certainly seemed strange to him in reading the Blue-Book to find a quarter of an hour before Mr. Chamberlain had seen the message from Sir Hercules Robinson saying it was rumoured that Jameson had crossed the border, Mr. Chamberlain was able to telegraph to the High Commissioner, saying, "Are you quite sure that Dr. Jameson did not cross yesterday?"[1]... He thought there was subject for an inquiry there' (*Cape Times*, May 16, 1896).

As the Committee's investigations proceeded, two Imperial officers were found to have been in some degree cognizant of the plot—Sir Graham Bower, the Imperial Secretary to the High Commissioner at Cape Town, and Mr. Newton, the Resident Magistrate in the Bechuanaland Protectorate. Was the cognizance confined to them, or was it extended to other and higher personages? The findings of the Committee on this point were as follows:

'Your Committee state, in the most emphatic terms, that there is no evidence whatever that the High Commissioner had the slightest knowledge of the plot or of the intended use of an armed force within the Transvaal, both of which were purposely concealed from him. The Committee ascertained that the state of Lord Rosmead's health disabled him from giving evidence before the Committee, but they have received from him an absolute denial of any such knowledge on his part. In the opinion of your Committee, under most trying and difficult circumstances, the High Commissioner did everything that was possible to maintain the honour of his country.

'Neither the Secretary of State for the Colonies nor any of the officials of the Colonial Office received any information which made them, or should have made them, or any of them, aware of the plot during its development.

[1] It was Miss Flora Shaw, of the *Times*, who put the Colonial Office up to this possibility and brought Mr. Chamberlain to London by night mail on New Year's Eve, 1895. In her evidence on May 25, 1897, Miss Shaw said: 'On the 30th December, 1895, I got news that Dr. Jameson had crossed the Transvaal border with his troops. I saw a telegram in Mr. Beit's office saying, I think, "Jameson has disregarded his instructions and has crossed the border with 400 men." I went straight to the Colonial Office and saw Sir R. Meade. He sent to Mr. Chamberlain, who was at Birmingham, and in an hour the Colonial Office had its own information.' This explains the telegram sent from the Colonial Office in Mr. Chamberlain's name to Sir Hercules Robinson (Lord Rosmead) on the day named.

'Your Committee fully accept the statements of the Secretary of State for the Colonies and of the Under-Secretary, and entirely exonerate the officials of the Colonial Office of having been, in any sense, cognizant of the plans which led up to the incursion of Dr. Jameson's force into the South African Republic' (Report, pp. 13, 14, 15).

These findings were clear and definite, but they failed to silence the whisper of insinuation or to banish suspicion from many minds. The reason was that the Committee had failed to take all the steps, the obvious and proper steps, which a Court of Law or a Statutory Commission would have taken in order to probe the matter to its depths. The incompetent and inconclusive manner in which Mr. Jackson and his colleagues conducted their investigations caused them to be called, not unreasonably, 'The Committee of No Inquiry.'[1]

As many misconceptions still exist with regard to this subject, it may not be amiss to offer some elucidations here. We have seen that it was proved before the Committee that local officials knew something of the plot which resulted in the Jameson Raid. It was shown also by the notorious cables that persons in London connected with the Chartered Company believed, or affected to believe, and thereafter caused others in Africa to believe, that 'the Colonial Office' was also 'in it.' In what? Not in the Raid as it actually happened. No suggestion has been made in any responsible quarter that Mr. Chamberlain was in that. What was suggested was this: Mr. Rhodes and the Raiders, in order to carry out their schemes, required a 'jumping-off ground.' This was obtained by the cession of the Bamaliti and Barolong territories, adjoining the western frontier of the Transvaal, by the native chiefs to the Chartered Company (C. 7962, p. 26). The negotiations for this transfer, which included negotiations with the chiefs Khama, Bathoen, and Sebele, were carried on, not through the High Commissioner at Cape Town, but directly with Mr. Chamberlain at the Colonial Office. On the part of the Chartered Company, it was represented that a strip of territory along the Transvaal border was necessary for the protection of the railway then in course of construction. Perhaps it was, but what

[1] *Daily News*, June 2, 1897.

Mr. Rhodes had also, and at the time chiefly, in his mind was the use of the said strip as a 'jumping-off ground' for the Raiders. The case, even from this latter point of view, might have been very plausibly put. Of course, no one would have talked—nor, indeed, did Mr. Rhodes himself think—of Dr. Jameson crossing the border before any outbreak had occurred at Johannesburg. That was what Dr. Jameson actually did. Let us contrast with it what Lord Loch did in 1894. Upon signs of a rising in the Transvaal, he assembled the British Bechuanaland Police quietly on the border, with a view to their being ordered in by the High Commissioner to protect life and property at Johannesburg. What Mr. Rhodes contemplated—apart from the subsidy which he made to the movement at Johannesburg itself—was something between the utterly indefensible proceeding of Dr. Jameson and the proper proceeding of Lord Loch. The question is not whether Mr. Chamberlain was 'in' the Jameson Raid, but whether it ever entered his head in handing over the border-strip to the Chartered Company and sanctioning the establishment of a force there that the said force might be used in connection with affairs at Johannesburg. This is the only 'charge'—if such it can be called—that was ever explicitly preferred by responsible persons against Mr. Chamberlain. It was stated, in anything but an unfriendly way, in the Preface to 'The Story of an African Crisis,' written by the then Editor of the *Cape Times*. The passage is worth quoting, in order to define the issues. According to the Cape editor, 'what Mr. Chamberlain was probably prepared to sanction in 1895' was:

> 'Upon report of a probable rising in the Transvaal at a definite time (the end of December) to allow the British South Africa Company's police (including the ex-B.P.P.)—a force subject, but not quite so directly subject, to the High Commissioner's orders—to be assembled in the same way and for the same purpose as above; the possibility of such measures being called for being indirectly recognised in territorial arrangements some time beforehand.'

If this had been Mr. Chamberlain's attitude, there would have been nothing seriously wrong in it, though it would have been open both to abuse and to misconceptions. For

a long time there was nothing in Mr. Chamberlain's declarations inconsistent with the theory sketched above. He had merely denied all knowledge of, and sympathy with, the *Raid*—a denial which is indeed patent on the face of all his official actions. Subsequently, however, Mr. Chamberlain enlarged the scope of his denials, and testified that it never entered his head for a moment to connect in any way whatever the presence of Chartered Police on the frontier with the prospective disturbances at Johannesburg. He knew of the latter, and he was responsible for the former. But the sole reason why, after first refusing the transfer, he afterwards agreed to it, was the fear lest certain natives should take up arms against the 'puff-puff.' This is where the whole difficulty came in; for evidence was adduced before the Committee to the effect that the connection between the two things was pointed out to Mr. Chamberlain. Here is the most definite portion of the evidence in question:[1]

'(Dr. Harris's evidence) I said to Mr. Chamberlain: "We shall be there, and, of course, if there is a rising at Johannesburg, we shall not allow them to get the worst of it."

'(Telegram put in and sent by Dr. Harris to Mr. Rhodes, November 4): "I have spoken open to E. Fairfield."

'(Dr. Harris's evidence): "I will explain what I said now that I am compelled to do so. I mentioned to Mr. Fairfield that one of the reasons why Mr. Rhodes was anxious to get the Protectorate was that he considered it imperative to have a British force on the borders, so that in the event of a disturbance taking place in Johannesburg he would be in a position, if he deemed it right, to use that force."'

The late Mr. Fairfield was one of the Permanent Under-Secretaries at the Colonial Office. Upon these statements Mr. Chamberlain made the following disclaimer:

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[1] Some of Miss Flora Shaw's cables seemed to be equally definite. Thus she cabled to Mr. Rhodes: 'Chamberlain sound in case of interference European Powers, but have special reason to believe wishes you must do it immediately.' She assured the Committee, however, that she had no special information about Mr. Chamberlain's attitude. Miss Shaw wrote articles on Colonial topics for the *Times*, and apparently had the run of the Colonial Office. I suppose we must assume that Miss Shaw succumbed to a temptation, not unknown in the journalistic career, of exaggerating her 'special' and exclusive information.

'It was in the course of this conversation that Dr. Harris made a remark, the exact words of which I could not pledge my memory to at this distance of time. It was: "I could tell you something in confidence," or, "I could give you some confidential information." I said: "I don't want to hear any confidential information. I am here in an official capacity; I can only hear information of which I can make official use. . . ." Dr. Harris added that he made a guarded allusion to the desirability of there being a police force near the border. Of course, I don't mean to say that he didn't say this. All I have to say is, that if such an allusion was made, I did not understand it—at all events not as referring to anything which has subsequently taken place.

'I desire to say, in the most explicit manner, that I had not, and that I never had, any knowledge, nor, until I think it was the day before the actual raid took place, the slightest suspicion of anything in the nature of a hostile or armed invasion of the Transvaal.'

Mr. Chamberlain's evidence was confirmed by Lord Selborne, then Under-Secretary at the Colonial Office. He was present at the interview described by Dr. Harris. He remembered Mr. Chamberlain stopping Dr. Harris. He supposed that Dr. Harris was about to impart some information about the revolution known to be brewing at Johannesburg. If at any time Dr Harris conveyed any such or other secret information, no one at the Colonial Office had the least idea of what he was driving at. 'I do not doubt,' Lord Selborne added, 'that Dr. Harris believed, as he has said here, that Mr. Fairfield had understood the statement he made to him in conversation respecting the plan; but, on the other hand, I am quite confident that Mr. Fairfield, who was very deaf, had either imperfectly heard what was said, or had not taken in the significance of the words he heard. Until he was seized with his fatal illness in the autumn of 1896, we repeatedly discussed together the events of the previous year, sometimes alone, but very often with Sir Robert Meade, and I am absolutely convinced of the fact that he had no suspicion of the plan of Dr. Jameson.'

The Committee very naturally accepted Mr. Chamberlain's and Lord Selborne's statements. In doing so they were not logically compelled to impugn the good faith in this matter of Dr. Harris. To the one man, whose

mind was full of 'the Jameson plan,' the most distant allusion would seem as plain as a pikestaff; to the other man, whose mind was full of altogether different considerations, such allusions might convey no information, leave no recollection, and have no significance whatever. What would be impugned, in the event of Mr. Chamberlain's statement being finally established, is only Mr. Chamberlain's acumen. He knew what Lord Loch proposed in 1894; he knew that a rising was imminent in 1895. If in all these negotiations with Lord Grey and Dr. Harris, and the rest of them, it never for a moment occurred to Mr. Chamberlain that the police force on the border would, could, or should be used or useful in connection with possible disturbances at Johannesburg—why, then Mr. Chamberlain's reputation for dreadful smartness is somewhat exaggerated.

The Committee are not, then, to be blamed for accepting Mr. Chamberlain's evidence. What they are to be blamed for is that they did not follow up all the clues, which would have settled the matter once and for all, have left no doubt remaining in any reasonable man's mind, and have silenced any unfounded suspicions for ever. Many such clues had been disclosed in the course of the proceedings. Thus (1) Dr. Harris, in alleging that he had spoken openly to Mr. Fairfield, stated that Mr. Beit and Mr. Maguire were both independently aware of the fact. Those gentlemen were not examined on the subject. (2) The cables which were produced and other evidence showed that Lord Grey played the principal part in the negotiations between the Colonial Office and the Chartered Company. Lord Grey was not called. (3) Mr. Hawksley, Mr. Rhodes' solicitor, was also possessed of the facts. He began to tell the Committee what passed between him and the Colonial Office, when a member of the Committee objected, and nothing more was elicited. (4) Finally, the cables produced by the Cable Company were not complete. A complete set was, however, proved to be in Mr. Rhodes' possession, and had by him been submitted to the Colonial Office. Mr. Rhodes' solicitor was called upon to produce

the missing cables. He declined, and in the end the Committee did not insist. Nor was sight obtained of a covering correspondence with Mr. Hawksley at the time when the cables were sent for the Colonial Office's inspection, although it has been alleged that this correspondence was highly important. Only a few people know at first-hand what truth there is in this statement, and what the missing cables contain. It is quite possible that they would not carry the case any further. Dr. Harris and his friends, believing that his guarded allusions had been understood and his open talk had fallen not on deaf ears, might easily read into the words and acts of the Colonial Office all sorts of compromising interpretations which were not really there at all. But the Committee's failure to probe the matter to the end was a grievous blunder; it left suspicion plenty of material to feed upon, and to this day it lives and thrives.

The fault of the Committee in this matter must be shared by the leaders of both political parties,[1] and by the House of Commons, which accepted the Committee's report. A special share of blame belongs, however, to Mr. Chamberlain. He ought to have insisted on the production of all the cables and covering correspondence, and he should have anticipated all compromising disclosures by laying before the Committee, at the beginning of its inquiries, all the relevant documents or information at the disposal of the Colonial Office. When the report of the Committee had appeared, Mr. Chamberlain made another serious blunder. He signed the report which condemned Mr. Rhodes one day; he made a speech whitewashing Mr. Rhodes the next day. Mr. Chamberlain, as a member of the Committee, had declared that Mr. Rhodes, among other things, 'deceived the High Commissioner, representing the Imperial Government, concealed his views from his colleagues in the

[1] Mr. Labouchere and Mr. Blake were alone on the Committee in desiring to pursue the investigation to its proper end. Sir William Harcourt and Sir Henry Campbell-Bannerman were on the other side. This clenched the matter, and rendered futile all subsequent attempts of the Liberal party to reopen the subject.

Colonial Ministry, and from the Board of the British South Africa Company, and led his subordinates to believe that his plans were approved by his superiors.' The report declared further, with reference to the suppressed cables: 'The fact that Mr. Rhodes (after having authorized that they should be shown to Mr. Chamberlain) has refused to allow them to be produced before the Committee, leads to the conclusion that he is aware that any statements purporting to implicate the Colonial Office contained in them were unfounded, and the use made of them in support of his action in South Africa was not justified.' This allegation may or may not be correct. But Mr. Chamberlain was a party to it. He must therefore be of opinion that Mr. Rhodes withheld the telegrams because he knew they do not sustain the use which he made of them both in South Africa and in London. The use of them in South Africa—if Mr. Rhodes knew their statements to be unfounded—was lying. The use of them in London was, on the same hypothesis, a form of political blackmailing. What, then, had Mr. Chamberlain to say of this long course of what, if the report be correct, was lying and blackmailing? 'Nothing had been proved,' he said, 'and nothing exists which affects Mr. Rhodes' personal character as a man of honour.' Mr. Chamberlain covered himself by reference to the ethics of revolution. But it is one thing to practise deceit so far as it is necessary to the keeping of your own counsel, and another thing to allege that you have the support of the authorities. If you allege this, when you know that it is false, and then by means of telegrams, which you know to be false, proceed to 'intimidate one public department after another,' you cannot for those gross acts of perfidy plead the sacred rights of a revolutionary. Mr. Chamberlain's statement, then, that he had no complaint to make against Mr. Rhodes only tended to deepen the mystery hanging over this unexplored affair.

What effect did the fly-blown report of the Committee, followed by Mr. Chamberlain's whitewashing of Mr. Rhodes, have at Pretoria? Mr. J. B. Robinson was there at the time, and he has told us. News of the report reached Pretoria before news of the subsequent debate.' Mr.

Robinson called on each occasion upon President Kruger. This is his report of their conversations:

'I said, "Well, President, you see what I have told you is right. The Committee have taken evidence, and their report deals with the conclusions that they have arrived at." He said, "Yes. What else is to follow those conclusions?" I replied, "I must ask you to exercise a little patience, and not come to any hasty decision upon the matter." A few days later another cable was published, from which it appeared that some of the members of Parliament, in commenting upon the Committee's report, took the opportunity of speaking favourably of Mr. Rhodes. I went down to see the President again, and I shall never forget that morning. I entered the room, and he looked at me, shook hands, and motioned me to a chair. I sat down, but not a word did the President say, so I commenced, "Anything fresh this morning, President?" He replied, "No, there are some cables in the papers this morning, but the news that they convey is not fresh—not at least to me." I answered, "What do you mean?" He said, "I am referring to the debate in the House of Commons." I immediately saw the difficulty that confronted me, as the President looked at me steadily, and said, "What do you think now of your friends and their assurances?" I replied, "I have no doubt that the party who made that statement in Parliament conscientiously believed that what he said was true." The old President then became irritable, and in a loud voice shouted at me, "Do you mean to tell me, as an intelligent man, that you accept these statements, and that you believe in them? Do you think we are fools? Do you think for a moment that we do not know the true working of this Raid? Do you mean to tell me that you do not know that the men who organized and engineered this Raid organized it for their own benefit, and that they had decided how they would divide the Transvaal, how each of the parties was to have certain interests in this country, and that many of the Reformers who were put in gaol were perfectly innocent, and ignorant of the schemes of the men who were in the inner circle?" He continued, "There are only twelve men in that inner circle, and they were to share the spoils, and divide the Transvaal amongst themselves. They and their companies found the money for the Raid. Do you think that we are so innocent as not to know that Mr. Rhodes, metaphorically speaking, held a pistol at the heads of certain men in England, and said to them, If you do not support me, I will denounce you and your complicity in the Raid?" The President at this stage became more excited, and shouted so loudly that the people in the street stopped to overhear the conversation' (*Daily News*, January 16, 1900).

A more serious consequence of Mr. Kruger's excitement was that it confirmed his decision to harden his heart against the Uitlanders, and to persevere in his anti-British policy. This decision will occupy our attention in the next chapter.

# CHAPTER IX

## PRESIDENT KRUGER'S YEARS OF GRACE

The situation after the Raid—Mr. Kruger's opportunities—Moderate reforms would have stopped agitation and strengthened the Republic—Ill-advised action of the pro-Boers—Mr. Kruger's promises to Johannesburg—His actual policy. (*a*) Studied exasperation towards the Imperial Government; violation of the Convention of 1884; the Aliens Expulsion Law; the Aliens Immigration Law; treaties with foreign Governments. (*b*) In relation to the mining industry, a policy of continued maladministration. The Government Industrial Commission; its recommendations ignored; effect on capitalists and foreign opinion. (*c*) In relation to the political status of the Uitlanders, a policy of increased repression; some sham reforms; the press laws; dismissal of Chief Justice Kotzé.

SELDOM has so favourable an opportunity been offered to any statesman as that which lay to Mr. Kruger's hand in the months immediately following the Raid. During the years which preceded that lawless adventure it might sometimes have seemed to the old man with his Bible on the stoep as if the very stars in their courses were fighting against him. The measure of independence which he had won by strength of arms in 1881 and enlarged by craftiness of counsel in 1884 had been threatened by the discovery of gold. New-comers, whom he feared, had poured into the land, bringing with them new ideas, which he hated. At first it looked as if they might one day depart as suddenly as they had come. They came to extract the gold rather than to settle on the soil. The possibility of working the mines to a deeper level had dashed this prospect. The new-comers, it was now clear, had come to stay, and the discovery of deep-level possibilities in gold-mining had caused the agitation of the Uitlanders also to strike deeper.

Meanwhile, President Kruger, hitherto the one strong man of South Africa, had met his match in an Englishman, who had originally come to the country as an invalid, but had found in it not only health and fortune, but scope for an ambition as far-reaching and a will as tenacious as Mr. Kruger's own. In Cecil Rhodes Mr. Kruger was not slow to perceive his deadly foe. This was not because Mr. Rhodes cherished personal animosities or was a difficult man to deal with. On the contrary, it was one of Mr. Rhodes' leading ideas that bargaining was better business than fighting, and that 'every man has his price.' Mr. Rhodes tried to do a peaceful deal with Mr. Kruger. If no bargain was ever struck, it was because the two men represented ideas and ambitions which were irreconcilable. Mr. Kruger stood for the old order of things, the old-fashioned ideas, which clung round a scattered pastoral community; Mr. Rhodes stood for the new order, for the bustling life of an energetic community of gold-seekers. Mr. Kruger was bent on keeping as much of South Africa as possible for the old; Mr. Rhodes was bent on winning as much of it as possible for the new. Success so far had been with Mr. Rhodes. Conflict between the two men was perhaps inevitable; but, if so, it was not because Mr. Rhodes was infected with any of the racial animosity which unhappily divided so many of his fellow-countrymen from sympathy with the Dutch. On the contrary, Mr. Rhodes held power at the Cape partly by sympathy with the Dutch element, and in the North he cordially welcomed Dutch settlers.

In his last tussle with Mr. Kruger—that over the question of the Drifts—the Dutch President had the mortification of knowing that the Premier of the British Colony had in some measure the support of Dutch opinion behind him. Nor was this all. The Imperial factor, which had in the past been always uncertain, and often of no account, had now become active and definite. Mr. Kruger had seen two successive Governments assert themselves to thwart his schemes. It was a Tory Government which forced him to open the Drifts; it was a Liberal Government which had shut him out from the sea. The fates seemed against him. But,

then, in a black hour Mr. Rhodes planned the Raid, and in a moment the relative position of the rivals was reversed. Mr. Rhodes was undone. He had lost the support of the Afrikanders utterly, and perhaps for ever. Mr. Kruger's burghers were united and enthusiastic; the Uitlanders were divided and dispirited. The head of a great European State had sent a signal mark of his sympathy with the Dutch Government. The British Government had replied by the despatch of a flying squadron; but, so far as interference with Mr. Kruger's own affairs was concerned, its hands were for the time completely tied.

This state of affairs placed President Kruger in a position of great strength, and gave him a unique opportunity. The policy which statesmanship demanded—if, that is, peace and quiet were wanted—was obvious. It was for Mr. Kruger to grant to the new-comers, by grace and of his own motion, some gradual instalments of those reforms which they had failed to extort from him by arms and conspiracy. A modicum of reform conceded by President Kruger after the Raid would have damped down the agitation of the new-comers for years. They were in no position to ask for much; the Imperial Government was in no position to ask effectually for anything. Mr. Kruger, by giving way a very little at this stage, might have safeguarded the position of his old burghers for a generation, confirmed his own supremacy for the term of his natural life, and secured the existing status of the Republic, perhaps in perpetuity. Even a very small Reform Bill introduced voluntarily by the Transvaal Government would have served (as Sir Henry de Villiers afterwards put it) to 'rally the greater number of the malcontents around them. As the alien population increases, as it undoubtedly will, their demands will increase with their discontent, and ultimately a great deal more will have to be conceded than will now satisfy them' (Letter to President Steyn in the Papers presented to Parliament, 1890, Cd. 369, p. 1). It was a case in which a little reform would have staved off all fear of revolution and war. What Burke said of reforms in our country was eminently true also of the Transvaal: 'All things which came should issue as a gift of

her bounty and beneficence rather than as claims recovered against struggling litigants,' so that the gifts 'should appear the salutary provisions of your wisdom and foresight, not as things wrung from you with your blood by the cruel grip of a rigid necessity' (First Speech at Bristol). President Kruger had in the time immediately following the Raid a golden opportunity for making such gifts with safety. A minimum of concession would have had a maximum of efficacy. Those were Mr. Kruger's years of grace.

These considerations, which ought to have governed his policy during those years, were very obvious, and they were urged persistently in some quarters (see, *e.g.*, *Daily News*, February 10, March 25, 1896, and *passim* thereafter). But unfortunately, just as one section of the Liberal party gave no countenance to the agitation for pushing the inquiry into the Raid to its logical conclusion, so another section of Liberal politicians gave no assistance to those who preached at this crisis the Liberal doctrine that force is no remedy, and that only by the redress of grievances could Mr. Kruger hope to save and serve his State. Whenever a speech was anywhere made or an article written impressing upon the Transvaal Government the importance of utilizing the time of grace to apply some permanent remedy, there promptly appeared a counter-pronouncement challenging the case for reform or justifying Mr. Kruger's policy.[1] These apologists for

[1] Thus Mr. Courtney, on April 15, 1896, said: 'He hoped he sympathized with a people striving to obtain political rights in every part of the world, but when a claim for political rights came before him tainted with stock-jobbing and with share-rigging, then his sympathy was chilled, and he was sorry to see that a certain number of English people and of the organs of English opinion were carried away by sympathy with persons who did not deserve any sympathy.' But if the claims of the Uitlanders were just before Dr. Jameson moved and Johannesburg rose, why did they become undeserving of attention afterwards? For the 'stock-jobbing' point, see Chapter XXIV. Another and more persistent apologist for Mr. Kruger at this period, and during the following years, was Mr. F. R. Statham. He was at one time in receipt of an allowance from the Netherlands Railway Company (see below, p. 257). A true friend of Mr. Kruger in this matter was the late Rev. John Mackenzie, whose open letter to the President, of June 18, 1896, puts the case very well. Mr. Mackenzie, among other things, asked Mr. Kruger to

Mr. Kruger came to be classed among pro-Boers.[1] If it was implied that they were wisely and disinterestedly attached to Mr. Kruger, the nickname was not appropriate, for they were the worst friends he had. They encouraged him, according to the measure of their opportunities, in all his most dangerous tendencies and all his least creditable passions. Extremists on both sides were at this time very mischievous. On the one hand, the Jingoes talked about 'smashing the Boers' and 'sending out 30,000 men to conquer the Transvaal.' On the other, the Krugerites encouraged that masterful old man in believing that he had a right Divine to govern wrong.

In this right President Kruger seemed to believe more firmly than ever after the Raid. The Raid secured for him an easy re-election to the Presidency—Mr. Kruger, 12,858; Mr. Schalk Burger, 3,753; General Joubert, 2,001. It also provided him—partly, as we have seen, owing to mistakes made by the Imperial Government—with an easy excuse, though, as we have also seen, with no real justification, for adopting a policy of coercion. He was not slow to use his power and his excuse. Immediately after the Raid he had, indeed, spoken the Reformers fair. In a proclamation, dated December 30, 1895, he declared that the Transvaal Government was 'still always prepared to consider properly all complaints which may be properly submitted to it, and submit them to the Legislature of the country without delay to be dealt with.' This proclamation served a purpose in

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remember that the land to which the voortrekkers went was a land prepared by the Almighty, not only for the farmer, but also for the gold-seeker and the gold-miner (*Cape Times*, weekly edition, July 22, 1896).

[1] The first use of terms of political slang is often a subject of inquiry. The earliest use of the term 'pro-Boer' that I have come across is in the *Daily News* of April 22, 1896. 'If it were indeed a necessity of the situation to be pro-Boer or pro-British—the one to the exclusion of the other—then as Britons we should be for the British, we admit.' In this book I have occasionally used the term 'pro-Boer' to describe the views of those who have taken the Boer side in the controversies under discussion. I use it, not offensively, not as meaning to imply that the persons so described are unpatriotic, but only for the sake of convenience and concision.

hastening the disarmament of Johannesburg. In a second proclamation, dated January 10, 1896, the President appealed to the inhabitants of that city to 'make it possible for the Government to appear before the Volksraad with the motto "Forget and Forgive."' These soft-spoken words were taken by Mr. Chamberlain and the Uitlanders themselves as promises of reform. Subsequent events speedily undeceived them. The actual policy carried out by President Kruger was, in its relation to the Imperial Government, one of studied exasperation; in relation to the mining industry, a policy of continued maladministration; and from the political point of view generally, a policy of rigorous repression.

In its relation to the Imperial Government, Mr. Kruger's policy was one of studied exasperation. This was the description of it given by Mr. (now Sir William) Conyngham Greene, the British agent at Pretoria. 'The general opinion seems to be,' said Mr. Greene, in a despatch (June 14, 1898) dealing with the Aliens Expulsion Law, 'that the passing of the measure, having regard to the protest recorded by the Secretary of State in his despatch of October 16 last, and even earlier, marks another step in the policy of exasperating the Imperial Government, while, as regards the foreign community resident in the Republic, it is, I think, looked upon as an attempt to intimidate, or, at any rate, to fetter, the Uitlander population in the pursuit of any constitutional efforts to obtain the redress of their grievances, if not even in the discharge of their ordinary business avocations' ('Papers relating to the Complaints of British Subjects in the South African Republic,' 1899, C. 9345, p. 63). To this latter aspect of the matter we must presently revert. Here the point to be noticed is the inconsistency of the Aliens Expulsion Law with the terms of the London Convention. The law empowered the President to expel without an appeal to the Court any foreigner who 'by word or writing excites to disobedience or transgression of the law, or takes any steps dangerous to public peace and order.' There were several revisions of the law,[1] but in the end, as

[1] A recapitulation of the several stages of legislation in respect to this

at the beginning, the right of any stranger to live in the Republic or to move freely within its borders was left at the mercy of the Executive. Yet by Article XIV. of the London Convention it was agreed that 'all persons other than natives conforming themselves to the laws of the South African Republic shall have full liberty with their families to enter, travel, or reside in any part of the Republic.' No less clearly in conflict with the Convention was another law introduced in 1896. This was the Aliens Immigration Law, which altered the conditions upon which foreigners could enter the Republic. Her Majesty's Government had to make a strong protest against this violation of Article XIV. of the Convention.[1] It was repealed in 1897, but not, as the Republic ostentatiously stated, because of its conflict with the Convention, but because it was found in its working to expose the inhabitants of the neighbouring States and Colonies to inconvenience. The Republic declined a friendly discussion with Her Majesty's Government with a view to agreeing upon the terms of a measure which might meet the objects of the Transvaal in a way that would justify us in waiving a strict interpretation of Article XIV. They said it was their intention to come to an agreement with other Governments in South Africa as to the principles of legislation for the purpose of excluding dangerous or detrimental immigrants. Naturally, they had to be informed in reply that, although such a Conference was desirable, the Queen's Government could not withdraw their claim to be consulted before any legislation was introduced in the South African Republic derogating from the rights secured by the Convention, to which the other South African Governments were not parties.

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matter was given by Lord Milner in a despatch of June 15, 1898 (C. 9345, p. 60). Mr. Chamberlain's protests are Nos. 120 and 121 in C. 8423. The reply of the Transvaal Government will be found at p. 6 of C. 8721.

[1] For text of the Aliens Immigration Law see p. 69, C. 8423; for Mr. Chamberlain's protest against the law as a breach of the London Convention see despatch No. 120, C. 8423; for the reply of the South African Republic see p. 6, C. 8721.

The answer of the Transvaal Government to Her Majesty's Government's protests was long, and in places ingenious;[1] but underneath it all, no reader will fail, I think, to detect the governing motive of Mr. Kruger's policy. The laws in question were defended as laws natural and proper in an independent State. It was the semi-dependent status fixed by the Convention that the Transvaal Government sought to undermine.

Still more obvious was this motive in the causes of complaint given to the Imperial Government in relation to Article IV. of the Convention.[2] That article runs as follows: 'The South African Republic will conclude no treaty or engagement with any State or nation other than the Orange Free State, nor with any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.' To anyone seeking to interpret the Convention in good faith and with goodwill, this clause would seem clear enough. But the Transvaal Government signed an extradition treaty with Portugal (November 3, 1893), and did not submit it to Her Majesty; they communicated to the Swiss Government their act of accession to the Geneva Convention (September 30, 1896) without first consulting the Queen; and so, again, they executed and ratified an extradition treaty with the Nether-

[1] Thus, an *argumentum ad hominem* was addressed to Lord Salisbury. 'The Alien Exclusion Bill of 1894, presented by His Excellency the Prime Minister of Her Majesty, Lord Salisbury, in the House of Lords, makes provision for the exclusion of undesirable immigrants, and it may justly be argued that Law No. 30 of 1896 in that respect rests on the same basis as the law proposed by His Excellency Lord Salisbury.' This was not the only case in which President Kruger was able to recognise in the British Prime Minister a kindred spirit. It was one of the humours of the situation that a Tory Government at home was in conflict with Toryism in South Africa. Equally paradoxical was the defence of Toryism there by a section of 'advanced' Liberalism here.

[2] A recapitulation of these cases will be found in Mr. Chamberlain's despatch of March 6, 1897, No. 121, in C. 8423. The answer of the Transvaal Government as to the extradition treaty with Portugal will be found on p. 3, C. 8721; as to the accession to the Geneva Convention, see p. 15, C. 8721; as to Aliens Immigration Bill and other breaches of the Convention, see p. 6, C. 8721.

lands which also was not submitted for the approval of Her Majesty. In several of these cases the terms of the Convention could have been observed without any difficulty. There was no likelihood whatever that the Queen's Government would have objected to the extradition treaties, and they were known to be favourable to the Transvaal's accession to the Geneva Convention. In other cases any reasonable and legitimate objects which the Transvaal Government had in view could have been readily attained without any infringement of the Convention if Mr. Kruger had cared to seek a previous understanding with Her Majesty's Government. That, however, it would seem from the facts recited above, was the one thing which he was careful to avoid. Respect for the Convention of 1884 was often on his lips in public and official utterances; determination to undermine it was never absent, it would seem, from his mind. It is difficult to resist Sir W. Greene's conclusion that the President's policy in the years following the Raid—those years of grace in which he might so easily have secured the peace and prosperity of South Africa—was a policy, in its relation to Great Britain, of exasperation.

Whatever may have been Mr. Kruger's object, exasperation was also the effect produced by his dealings with the mining industry. Mine-owners are not very sympathetic persons to most of us. The grievances of capitalists who, in spite of all, amass enormous fortunes are apt to leave one somewhat cold; but even the rich have their rights. Politicians, too, will remember that the mining industry is the staple industry of the Transvaal and the leading industry of South Africa, acting and reacting on the whole political and economic condition of the country. On the bad treatment or the good meted out by the Administration depended in considerable measure the prosperity and contentment of the whole community. 'The mining industry,' said the Commission appointed by Mr. Kruger in 1897, 'must be held as the financial basis, support, and mainstay of the State.' How, then, did Mr. Kruger use his years of grace to deal with the grievances of the most important industry within his borders? His first step promised well; it was

the appointment of the Commission of Inquiry referred to above. The Commission consisted of nominees of the Transvaal Government, and most of its members were State officials. No Reformers or representatives of the mines were included.

Whatever may have been Mr. Kruger's motives in appointing it, the Commission did its work, under the chairmanship of Mr. Schalk Burger, impartially and thoroughly. The conclusions may be accepted as the last word on the subjects, and within the sphere, of its inquiry.[1] The report begins by clearing away certain fallacies which had often figured in statements by English apologists for the Boers—in this respect more Boer than the Boers. It was said, for instance, that if some of the mines did not pay, it was because they were overcapitalized; and, again, that there could be nothing much to complain of, because the miners received very high wages. The report shows that if the wages were high, it was because the cost of living at the mines was also very high[2]—a fact for which the policy of the Transvaal Government was itself largely responsible. As for the question of overcapitalization, upon which Mr. Labouchere and others had spent so much ingenuity, the report brushed it aside as not to the point. Of course, if a mine be largely overcapitalized, or if a gold reef exist only in the imagination of promoters, no dividends in the one case or profits in the other would accrue, even if coal, labour, and dynamite were delivered free of charge. The real point at issue was the cost of production, and this, the Commission found, was unnecessarily and unreasonably high. Hence it was that some mines made no profits, and others much smaller profits than they might. For the unduly high cost

[1] The text of the report, which should be studied by all who desire to know the truth about one of the most important aspects of the South African Question, will be found on pp. 1-13 of 'Papers relating to the Complaints of British Subjects in the South African Republic,' 1899 (C. 9345). For the effect produced by the report on 'progressive' opinion in the Free State, see next chapter, p. 95.

[2] Nothing was cheap except tobacco and mealies. The smallest current ccin was a tickey (threepenny-piece). Coppers were unknown.

of production the management of the mines was not to blame. On the contrary, 'your Commission is pleased to state that at present there exist all the indications of a pure administration, and the State as well as the mining industry must be congratulated upon the fact that most of the mines are controlled and engineered by financial and practical men, who are devoting their time, energy, skill, and knowledge to the interest of the mining industry, and who have not only introduced the latest machinery and mining appliances, but also the greatest perfection of method and process known to science.' The blame rested not on the management of the mines, but on the maladministration and corruption of the Transvaal Government. 'It is the duty of the Government to lighten the burdens of the mining industry,' and more especially to abolish 'concessions that are irksome and injurious, and will always remain a source of irritation and dissatisfaction.'

Let us notice a few of these burdens in order. It was proved to the satisfaction of the Commission that 'the Liquor Law is not carried out properly.' According to Sir W. Greene, the British agent, the sale of poisonous alcohol to the native labourers on the mines incapacitated permanently 12 per cent. out of 88,000 labourers from doing any work. The law in itself was good, but it was not carried out. The illicit dealers were rich and powerful, and they stopped at nothing to secure a continuance of their ill-gotten gains (C. 9345, pp. 43, 49).[1] Again, the Commission found that a very serious burden was imposed on the mines by transit duties and import duties on foodstuffs, which were 'unfair and ought to be abolished.' More serious still were the burdens caused by the policy of concessions to monopolists. The Commission pointed out with admirable lucidity that the South African Republic, as one of the largest, if not the largest, of consumers of explosives in the world, ought to have been able

[1] The murder of Mrs. Applebe, which caused much excitement and indignation at Johannesburg in May, 1899, was attributed by the British agent to revenge on the part of this nefarious trade against her husband, who, as a Wesleyan minister, had exerted himself boldly against their proceedings (C. 9345, pp. 178, 179).

to obtain them on the most advantageous terms. But, in fact, the mines had to pay a charge of forty to forty-five shillings per case in excess of the price in the open market. The cause 'was the monopoly in the hands of the South African Explosives Company, whereby they and their friends make enormous profits at the expense of the mining industry.' These profits were put by the Commission 'at no less than £580,000 for the years 1897 and 1898.' This huge monopoly 'does not benefit the State, but serves to enrich individuals.' 'The mining industry has thus to bear a burden which does not enrich the State or bring any benefit in return, and this fact must always prove a source of irritation and annoyance to those who, while willing to contribute to just taxation for general good, cannot acquiesce in an impost of the nature complained of. The importance of this to the mining industry may be gathered from the fact that explosives have been shown to average 9 per cent. of the total working cost, but for the development work the percentage is a higher one.'

The Commission recommended, therefore, that the dynamite concession should be cancelled, that the accounts of the monopolist company should, in the interests of the State, be subjected to searching investigation, and that free trade in explosives, subject to a reasonable import duty, should be introduced forthwith. The other concessionaire whose monopoly laid the heaviest burden on the mining industry was the Netherlands South African Railway Company. The Commission recommended that the company should ultimately be expropriated, and that meanwhile a reduction in tariffs of £500,000 a year, or 25 per cent., should be immediately required. Several other matters involving maladministration by the Transvaal Government were boldly exposed by the Commission. For instance, they found it proved that owing to 'faulty administration,' gold thefts to the amount of 10 per cent. of the output, equivalent to an amount of £750,000 a year, were committed with impunity. For the better regulation of such matters as this, the Commission recommended the appointment of an Advisory Board, to consist of five nominees of the Government and four representatives of the mining industry. Such a Board might

greatly assist the Government, and its appointment would have been a proof of the President's willingness to deal fairly with the chief industry of his State. In conclusion, 'your Commission fervently hope that they truly and faithfully interpreted the object of the inquiry, and that their suggestions and recommendations, if acted upon, will confer a lasting benefit on *Land en Volk*.' The Commissioners were right in their latter expression, but wrong in their former. Their report was received with lively relief and satisfaction on the Rand, and had their recommendations been adopted, a long step would have been taken towards meeting the grievances of the people, and thus securing the safety of the land. But the hopes of the mining industry were rapidly undeceived. The Commissioners had not correctly interpreted the object of their appointment. Either Mr. Kruger had not desired the truth to be set out, or he found it unpalatable, since it saddled the blame, not on the capitalists, but on himself. He charged Mr. Schalk Burger with being a traitor for having signed such a report, and set to work at once to retrace his steps. A Committee of the Volksraad was appointed to sit on the report of the Commission. They did it. They left very little of the Commission's recommendations standing, and what the Committee spared the Volksraad destroyed. A few characteristic 'reforms' were, indeed, made. Some reduction was obtained in the tariffs of the railway company, amounting nominally to £200,000, instead of the £500,000 recommended by the Commission; but it was alleged that a great deal of what the company conceded in one way was taken back in another,[1] and by the concession, such as it was, the company staved off any further inquiry into its privileges. Also a reduction was made in the import duties on certain articles, amounting to £100,000. But those on other articles were increased, and the increase amounted to £200,000.[2] The more serious scandals were left untouched, but, on the other hand, the Volksraad found time to impose, without notice and within

[1] See on this point the speech of M. Rouliot (a Frenchman), President of the Chamber of Mines, in C. 9345, p. 34.

[2] See M. Rouliot's speech (C. 9345, p. 46).

twenty-four hours, a new tax of 5 per cent. on the net profits of the gold mines. The Chamber of Mines did not object to the principle of the tax in itself, but they did very naturally object to its application under present circumstances, when the Government's own Industrial Commission had recommended instant relief for the industry as required in the best interests of the country.

Such, in brief outline, is the story of Mr. Kruger's dealing with the mining industry during the years of grace which followed the Raid. 'No reforms, but rather a set-back,' was the summary given by M. Rouliot, the President of the Chamber of Mines. In the Transvaal itself, the mining industry became consolidated under the pressure of disgust and disappointment. Mr. J. B. Robinson, hitherto a fast friend of President Kruger, now threw in his lot with the other capitalists,[1] and the Chambers of Mines, which had been split in two by the Raid, fused again into one body. Abroad, the President's oppressive policy caused much discontent, for shares in the gold mines were, and are, largely held on the Continent. The fact that the President of the Chamber of Mines was a Frenchman showed the importance of French holdings, and French newspapers began to deplore the inactivity of Great Britain in view of the serious financial interests at stake (Paris correspondent of the *Daily News*, January 11, 1899). Some of the German papers published similar lamentations. The semi-official *Nord-deutsche Zeitung* reproduced an article from the *Journal des Débats*, in which the writer charged President Kruger with bad faith in disregarding the report of his Industrial Commission when he discovered that it was not to his taste (May 23, 1898). The *Kölnische Zeitung* published letters from Johannesburg declaring that, 'even with the greatest sympathy for the Boers, it was impossible to spread the cloak of Christian charity over the doings of their Government.' 'What makes embitterment more bitter,' said another article in the same journal, 'is the unfortunate policy of promising and not performing. Since the "forgiving and forgetting," which was proclaimed after Dr. Jameson's raid, nothing has been

[1] For the immediate causes of this step, see FitzPatrick, p. 314.

done to give effect to these fine words' (Berlin correspondent of the *Daily News*, May 24, 27, July 27, September 23, 1898). Fine words and hard deeds were Mr. Kruger's policy.

In relation to the political status of the Uitlanders generally it was the same. Instead of utilizing the respite from agitation to remedy the grievances of the people, he left the old disabilities unremoved, and added others to them. The vote was still denied, and taxation was increased. The irritation thus caused was aggravated by the notorious corruption of the officials. Large sums of money were spent and not accounted for, while the avowed expenditure on secret service went up to an extraordinarily high figure. Some show had been made of establishing municipal government in Johannesburg, but it was a show only. Half the Council had to be enfranchised burghers, although the burghers formed only a very small proportion of the inhabitants. The Burgomaster was appointed and paid by the Government, and every regulation had to be submitted by him to the executive.

Equally delusive were the reforms of the educational system. The Uitlanders still had to pay for an education by which it was almost impossible for their children to profit. The system was, indeed, 'more directed to forcing upon the Uitlander population the habitual use of the Dutch language than to imparting to them the rudiments of general knowledge.'[1] The Uitlanders remained without any voice in the general politics of the State, and with no effective voice in local affairs. Such other means of seeking redress as were left to them were, in the years following the Raid, appreciably reduced. By the Press Laws of 1896 and 1898, the President was empowered to prohibit the circulation of any printed matter which, in his opinion, was a danger to peace and order in the Republic. The Aliens Expulsion Law, to which we have already referred, gave him a similar power to banish persons objectionable to him on the same ground.[2] Finally,

[1] Mr. Chamberlain's despatch of May 10, 1899, in C. 9345, p. 228. Justification will be found earlier in the same Blue-Book, Section III. See also p. 184 in the same Blue-Book.

[2] It has been represented that this law was passed 'in consequence

the law of 1897, under which Chief Justice Kotzé was dismissed, placed the High Court at the mercy of the Executive, and enabled the Volksraad (in which the majority of the inhabitants were unrepresented) to interfere by resolution even in cases pending at the time in the courts.[1] The Uitlanders had thus no security for impartial justice in the courts, no freedom of speech outside, and no voice within Parliament.

Such was the last state of the 'absolute equality' which Mr. Kruger had promised in 1881, of the generous policy of 'forget and forgive' which he had promised in 1896. The Raid, as we saw in the last chapter, gave him some excuse, and the mistakes made by the British Government for a while strengthened the excuse. But excuse is not justification. Mr. Kruger might have been slow and suspicious, and nobody could have blamed him. But his time of grace extended to three years and more. He made use of it, not to heal open sores and apply permanent remedies, but to exasperate. It must, however, be added that, having thus decided on a policy of conflict, he pursued it with unflinching forethought. This will be the subject of our next chapter.

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of the rebellion at Johannesburg' (Mr. F. Mackarness in the *Times*, November 22, 1899). This is not so. The law had been suggested in 1894 by a Hollander newspaper, and in the summer of 1895 the Volksraad, after a hot debate, had affirmed the necessity of it, and had passed a resolution instructing the Government to bring up a Bill to make provision for the expulsion of aliens without trial. This is mentioned in the manifesto prepared in connection with the rebellion.

[1] The 'Documents and Correspondence relating to the Judicial Crisis in the Transvaal' were published by Mr. Kotzé in English in 1898 (Clowes and Son). See also 'The Judicial Crisis in the Transvaal,' by J. W. Gordon, reprinted from the *Law Quarterly* (Stevens and Sons).

# CHAPTER X

## MR. KRUGER'S PREPARATIONS

Alliance and armaments—The tragedy of the Orange Free State—Earlier attempts by the Transvaal to secure its alliance—Sir John Brand's opposition—Mr. Reitz's succession and renewed overtures—The Raid, and election of Mr. Steyn—The offensive and defensive alliance of 1897—Mr. Fraser's protest and forecast—Mr. Balfour's blindness—The policy of armaments—When it was inaugurated, and why.

THE policy of repression and exasperation described in the last chapter obviously involved Mr. Kruger in serious risks. He knew it, and prepared for it with a far-seeing thoroughness which the British Government might well have imitated. Mr. Kruger often said that he had to take precautions against another Raid. Most people thought that herein he was insincere, for the steps taken by the British Government in clipping the wings of the Chartered Company rendered any repetition of Dr. Jameson's adventure impossible. But there was a sense in which Mr. Kruger was quite right. The Raid was a symptom of the unsettled state of affairs caused by misgovernment in the Transvaal. Mr. Kruger neglected to take the opportunity of removing that underlying cause. Therefore it was certain that in some form or other, and at some period more or less near, the trouble would recur. So the British Government had told him.[1] They do not seem,

[1] Mr. Chamberlain's despatch to Lord Rosmead, January 4, 1896: 'I am aware that the victory of the Transvaal Government over the Administrator of Mashonaland may possibly find them not willing to make concessions. If this is the attitude they adopt, they will, in my opinion, make a great mistake; for the danger from which they have just escaped was real, and one which, if the causes which led up to

on their part, to have laid the lesson to heart. But Mr. Kruger did. He set himself at once, and on an elaborate scale, to take precautions against the next crisis. This he did in two ways at least.[1] He made a valuable alliance and he piled up formidable armaments.

The fate of the Orange Free State is one of the saddest tragedies of the war. The State was described by Mr. Bryce when he visited the country as 'the most idyllic community in Africa.' It was admirably governed. The strangers within its gates were well treated. There were no religious animosities. Education, and with it prosperity and contentment, were widely diffused. There had never been any war between the Free State and Great Britain. British citizens had no grievances against the Free State, and a few years ago its continued independence seemed safe from all dangers. How changed are the conditions and outlook to-day! What is the real meaning of the Free State's action? The answer to this question is sometimes looked for entirely, and is undoubtedly to be found in part, in the Jameson Raid. It

it are not removed, may recur, although in a different form' (C. 7933, p. 19).

[1] I say 'in two ways at least' because in the text I confine myself to matters of demonstration. It is probable that Mr. Kruger adopted also what he hoped would be a third line of defence, namely, the pursuit of Continental alliances and the purchase of Continental opinion. To some extent this is certain. On March 4, 1898, the 'Transvaal Volksraad considered the foreign consular representations. The Government asked for £17,500 for the whole service beyond the borders of the State, but a difference of opinion was apparent among members, some of whom thought the amount too high. Dr. Leyds defended the item, which, he said, was necessary to secure a good diplomatic service in Europe. Moreover, it would be a proof of the independence of the State, over which there was no suzerainty' (Reuter's telegram).

In 1897 Dr. Leyds had been appointed to Europe. The significance of this move was thus appreciated by Mr. Stead. 'The Boer ideal,' he said, 'was "Anti-British Federation in South Africa." Mr. Secretary Leyds,' he added, 'has been appointed a kind of Boer Minister in Europe, where he will no doubt do his utmost to encourage the idea that the federated Dutch Republics can be relied upon by anyone who wishes to destroy British supremacy in South Africa' (*Review of Reviews*, April, 1897).

is not the least lamentable of the many evil results of that criminal undertaking that it fed the slumbering ashes of racial animosity in the Orange Free State, and made it possible for unscrupulous politicians to work on the feeling of the burghers to their own undoing. But here, as in other directions, the Raid was the occasion, not the cause. The Raid gave Mr. Kruger a lever for capturing the Free State. The desire to capture it was long antecedent to the Raid. The scheme to tie the Free State hand and foot to the Transvaal was as old as the dream of a Republican United States of South Africa. It was the first step that had to be taken to realize that dream, the dream which Mr. Kruger's Secretary of State, himself an ex-President of the Orange Free State, has openly avowed (see *ante*, p. 34). At first Mr. Kruger had little success, for under the enlightened administration of President Brand the little Republic enjoyed a prosperity which required no external props, and which was consistent with the most cordial relations with Her Majesty's Government.

In 1887 Mr. Kruger endeavoured to draw President Brand into an offensive and defensive alliance. During that year two secret conferences took place to discuss the commercial and political questions outstanding between the two Republics. The delegates met at President Kruger's house at Pretoria on May 31 and June 2. The minutes of these conferences, to which the correspondent of the *Times* at Bloemfontein has had access,[1] show clearly enough what Mr. Kruger's designs were. Mr. Fraser, on behalf of the Free State, desired to advance the interests of his own State without provoking the hostility of others. Mr. Kruger's arguments to the contrary are very significant. To Mr. Fraser's remarks that, if the Transvaal succeeded in obtaining a harbour on the sea-coast, it would require to be fortified and garrisoned, or it would be at the mercy of any passing warship, President Kruger replied that if once the Transvaal had a harbour Foreign Powers could intervene in its affairs, and that the Transvaal must get into touch with Foreign Powers in view of eventualities.

[1] See *Times* of May 25, 1900.

'The strength of our position,' he said, 'lies in our making the British Government understand that the Republics hold together. Then we can be sure that we will be taken into account. . . . Let us speak frankly. We are not going to be dependent on England. Take no railway union—remain without a railway. That is better than to take of their money. The future will provide greater blessings if you work with us. Let them keep their money. Let them not bind you. The Lord reigns—none other—the deliverance is near at hand.'

Mr. F. Wolmarans spoke to like effect:

'We must look at the matter from the political standpoint of our independence. We have had much experience of Her Majesty's Government, and we will and must shake ourselves free and become independent. We are still insufficiently prepared (*ongerust*). We wish to get to the sea, more especially with an eye to future complications. Let us first get to the sea and achieve our independence. . . . You know our secret policy. We cannot treat the Colony as we would treat you. The Colony would destroy us. It is not the Dutch there that we are fighting against. Time shall show what we mean to do with them; for the present we must keep them off.'

The following October President Kruger and a deputation went to Bloemfontein to urge upon President Brand the urgent necessity of an offensive and defensive alliance. President Kruger asserted that, in view of the common enemy and the dangers threatening the Republics, such an alliance was an essential preliminary to any other form of closer union. President Brand replied that, as far as the offensive was concerned, he would never be a party to attacking anybody's territory; and as for the defensive, where was the pressing danger or the common foe? The Free State was on excellent terms with all its neighbours, nor would the Transvaal have any need for such an alliance if only its policy remained peaceful and cautious.

The arguments of the Transvaal delegates lacked nothing, it will be seen, in explicitness. But they did not prevail. The point of view of the Free State politicians during the pre-Reitzian era was that of the prosperity of South Africa under the existing state of things. But in July, 1888, Sir John Brand died. He was succeeded in the presidency by Mr. Reitz, with whose aspirations we are already familiar, and who was one of the founders of the Afrikander Bond in

1882. Almost the first act of the future Secretary of State for the Transvaal was to revive the negotiations for closer union. On March 13, 1889, at Potchefstroom, he concluded a conditional defensive alliance with the South African Republic. This was as far as Mr. Reitz felt able at the time to carry matters. The traditions of Sir John Brand, ably represented by Mr. Fraser, still survived. Mr. Fraser knew that the avowed ambitions of the Transvaal, to say nothing of its misgovernment, would involve sooner or later a rupture with Great Britain. The Raid undermined the ground on which Mr. Fraser had taken his stand, and gave Mr. Kruger his long-wanted opportunity.

An election for President took place in the beginning of 1896. Mr. Fraser, member for Bloemfontein in the Raad, was a candidate. 'He was one of the most experienced, able and reliable men in the State, but now was completely deserted in favour of a young lawyer, whose views appeared so much to coincide with those of President Kruger that, when Mr. Steyn was sworn in on March 4, 1896, the former sent a telegram of sincere congratulation, and at the same time expressed a hope that the two Republics would now be more united than heretofore.'[1] The hope was soon fulfilled. In March, 1897, Mr. Kruger went to Bloemfontein, and a definite offensive and defensive alliance was concluded between the two Republics. By this treaty 'the Orange Free State and the South African Republic bind themselves to support each other with all available strength and means in case the independence of one of the two States is threatened or attacked, unless the State that has to render assistance shows the injustice of the cause of the other State. It is understood between the Governments of the two States

[1] Wilmot's 'History of Our Own Times in South Africa,' iii. 276. The votes were: for Steyn, 7,572; for Fraser, 1,405. The part played by Mr. Steyn in subsequent affairs was probably larger than appeared on the surface. According to Lord Loch: 'There can be no doubt now that all the warlike preparations of years past arose from the influence of persons in the Free State who desired the extension of Republican power in South Africa' (Speech at the Imperial Institute, *Times*, December 8, 1899).

that it is desirable that they should, as soon as possible, inform each other of matters which might endanger the peace or independence of one or both States.'[1] To this arrangement, concluded between Mr. Kruger and Mr. Steyn, Mr. Fraser was strongly opposed. He opposed it because it put the Free State at the mercy of the Transvaal; because it supported a Government in that State which was shamefully corrupt, and which thereby was a source of perpetual unrest in South Africa; and because, lastly, it jeopardized the friendly relations of the Free State with Great Britain, and thereby endangered its independence. It is interesting to cite a few of Mr. Fraser's remarks under each of these heads. They may serve, for one thing, to show that many of our 'Pro-Boers' over here are a good deal more Boer than some of the burghers themselves. Mr. Fraser opposed the policy of Messrs. Kruger and Steyn, first because it reduced the Free State to a position of 'vassalage to the South African Republic, a State which will give you the extreme privilege of fighting its enemies and protecting its citizens, without giving you a voice in its affairs.' And what kind of Government was it, Mr. Fraser went on to ask, which was thus to be 'able to dispose of the bodies and the rifles' of the Free Staters? We are sometimes told that the British case against the Transvaal Government was unsubstantial, and that the Uitlanders had no solid grievances. That was not Mr. Fraser's opinion, as the following extract from his speech will show:

'Only go back,' he said, 'twelve months; look at the reports which have been placed before the Volksraad of the South African Republic, and ask yourselves the question whether our people for one moment would tolerate the misrule and the misgovernment which exist there, when their own Commission report such a fact as that three millions of money have been squandered within the last fifteen years, for which no vouchers were obtainable. And if you look at what has been done to affect the administration of justice, and look at the high-handed action which has followed this, I ask you if you would like to have such actions here, as conducive to the safety of your lives and property. If you look at the monopolies, concessions and jobbery, and reckless expenditure which

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1. Bloemfontein *Gazette Extraordinary*, March 22, 1897.

have been reported to the Volksraad within the last few years, I ask you if the burghers of our country would be satisfied to hitch on to the Government there. (Speech at Bloemfontein, reported in the *Star* weekly edition, March 19, 1898.)

Mr. Fraser saw very clearly that the existence of such a Government was a standing menace to peace and security in the country, and that his own State would, sooner or later, be dragged into a conflict in support of the Transvaal oligarchy. Unhappily, Mr. Fraser's views did not prevail. Partly by the acts of 'shameless mendacity' denounced by Mr. Van der Lingen, and partly by an adroit playing upon what Mr. Fraser called 'a spurious sentiment,' Mr. Steyn and Mr. Reitz succeeded in 'hitching on' the Free State to Mr. Kruger. Mr. Fraser had no illusions as to the ultimate result. 'I do not wish,' he said, 'to see this country placed in a position whereby its independence will be inevitably jeopardized.'

'I do not consider,' he added, 'that the Government of the South African Republic is in a position to maintain our independence against any Great Power, nor do I consider that the Government of the Orange Free State is in a position to maintain the independence of the South African Republic against any Great Power by force of arms with the slightest chance of success. With regard to both these countries, I say our strength lies in our weakness, our strength lies in the recognition of the position which we hold and the Conventions we have with the mightiest Power in the world, a Power which is guided by a sense of justice and righteousness, and a Power which will not interfere with what has been conceded to us in the Convention to which they are parties so long as we act up to the conditions this Convention imposes upon us.'

What was the real motive force on the part of Mr. Fraser's opponents? What schemes or ideas and ambitions had Mr. Kruger and Mr. Steyn in their minds? Mr. Fraser dropped a hint of what seems to be the true solution when he spoke of the danger of interfering with the Conventions. His speech was delivered on March 17, 1898, and at that time Mr. Kruger and Dr. Leyds were elaborating in voluminous despatches their claim to the status of a Sovereign International State. From first to last this has been Mr. Kruger's ambition. He avowed it in 1883; he has struggled for it in a hundred ways ever since. At the time

when the claim was first elaborated in formal despatches it was known and felt that a conflict might ensue. 'Let come what may,' said Mr. Kruger in the Volksraad, 'we must show that we are an independent State. The Volksraad can depend upon myself, the Executive Council, and the Commandant-General.' What he fought for, he himself has told us in his so-called overtures of peace (p. 344),—it was his claim to be the Sovereign of a Sovereign International State.

The Rev. R. J. Campbell, in a letter to the *Daily News*, written at Bloemfontein on April 24, 1900, and published on May 21, recorded an interesting conversation with Mr. Fraser:

'"We are the victims," said Mr. Fraser, "of a policy not our own. Now that we are to be incorporated in the British Empire, I am reconciled to the change, for otherwise we should have been in vassalage to the South African Republic, by which I mean the Transvaal, not the larger dominion Kruger aimed at. What our place in that would have been I don't know." "Then you believe that Mr. Kruger aimed at nothing less than a United States of South Africa under his own flag?" "Certainly I do. I first saw through his policy at the Potchefstroom Conference in 1887. When Kruger held out for an offensive and defensive alliance as the *sine quâ non* for negotiations as to a Customs Union, I soon saw what he had in his mind. He has never ceased to work for it, and he almost succeeded."'

For the realization of Mr. Kruger's schemes, the offensive and defensive alliance with the Orange Free State was an indispensable preliminary. It is an amazing illustration of the state of wilful blindness and fecklessness in which the British Government chose to live that Mr. Balfour, in a speech at Dewsbury (November 28, 1899), could say: 'If I had been asked two months ago whether it was likely we should be at war with the Orange Free State, I should have said: "You might as well expect us to be at war with Switzerland."' Mr. Balfour's ignorance, real or affected, with regard to the meaning of the alliance between President Kruger and President Steyn is on a par with Lord Salisbury's about the extent of the armaments which had been amassed for their joint use. Replying to Lord Kimberley in the House of Lords on January 30, 1900, he said:

'When the noble lord says that we must have known, that it is impossible we should not have known, about the artillery and munitions of war that the Republics were introducing, I ask, How on earth were we to know it? I believe, as a matter of fact—though I do not give this as official—that the guns were generally introduced in boilers and locomotives, and the munitions of war were introduced in pianos. It was not our territory, we had no power of search, we had no power of knowing what munitions of war were sent in, and we certainly had no power of supervising their importation into the Republics. . . . But the noble lord seems to think that that is an elementary matter which we were bound to know. You cannot see through a deal board. We had no means of knowing the extent of the preparations, although everybody knew they existed to a certain extent.'[1]

The questions have been much discussed when the Transvaal began to arm, and why. It is said on the pro-Boer side that the arming began after the Raid, and that it was caused only by the necessity of preparations against a renewal of that lawless attempt. One is a question of fact, the other of inference. With regard to the fact, it is quite certain that the arming began before the Raid, though it is equally certain that it proceeded on a yet larger scale after the Raid. What we may call the policy of armaments was certainly not a result of the Raid. The manifesto drawn up by the Johannesburg Reformers before the Raid had already called attention to the new policy, and protested against it :

[1] The Prime Minister was in the same debate contradicted by the War Secretary, Lord Lansdowne, who said: 'The noble Earl (Lord Rosebery) claimed that we were without information as to the military preparations of the South African Republic. I think that he has done us an injustice. There are, no doubt, many cases in which munitions of war have passed through Lorenzo Marques under the various disguises indicated by the Prime Minister, but I am able to tell the House that the Intelligence Branch has been able from time to time to supply us with information which I believe to be extremely correct as to the extent and the nature of the Boer preparations. The estimate made by the Intelligence Branch of the number of armed men to be found in the two South African Republics is, I believe, a correct estimate, and one which our experience of these military operations has not in any way falsified. . . . When I come to the question of guns, I believe in the same way that they were able before the war began, or became inevitable, to tell us, at any rate with approximate accuracy, what was the nature of the armaments in the hands of the two Republics' (January 30, 1900, Hansard, 4th series, vol. lxxviii., cols. 40 and 41).

'We now have openly the policy of force revealed to us. £250,000 is to be spent upon the completing of a fort at Pretoria, £100,000 is to be spent upon a fort to terrorize the inhabitants of Johannesburg, large orders are sent to Krupp's for big guns, Maxims have been ordered, and we are even told that German officers are coming out to drill the burghers. Are these things necessary, or are they calculated to irritate the feeling to breaking-point? What necessity is there for forts in peaceful inland towns? Why should the Government endeavour to keep us in subjection to unjust laws by the power of the sword instead of making themselves live in the heart of the people by a broad policy of justice? What can be said of a policy which deliberately divides the two great sections of the people from each other, instead of uniting them under equal laws, or the policy which keeps us in eternal turmoil with the neighbouring States? What shall be said of the statecraft, every act of which sows torments, discontent, or race hatred, and reveals a conception of Republicanism under which the only privilege of the majority of the people is to provide the revenue, and to bear insult, while only those are considered Republicans who speak a certain language, and in greater or less degree share the prejudices of the ruling classes?' (Transvaal National Union Manifesto, December 27, 1895).

It is absurd that the expenditure which the Reformers alleged as one of the causes for their revolt should be defended by the Krugerites as its consequence; but it is indisputable that after the revolt the expenditure was greatly increased. Statistical information on this point is not complete. It is certain that the heading 'Military Expenditure' in the Transvaal Budgets does not cover the whole of such expenditure. The rest is to be found under the headings 'Special Payments,' 'Public Works,' and 'Sundry Services.' Adding these items together, we arrive at the following table:

| | £ |
|---|---|
| 1889 ... ... ... ... ... | 605,410 |
| 1890 ... ... ... ... ... | 742,439 |
| 1891 ... ... ... ... ... | 739,001 |
| 1892 ... ... ... ... ... | 525,095 |
| 1893 ... ... ... ... ... | 500,559 |
| 1894 ... ... ... ... ... | 782,848 |
| 1895 ... ... ... ... ... | 741,645 |
| 1896 ... ... ... ... ... | 2,007,372 |
| 1897 ... ... ... ... ... | 1,793,279 |
| 1898 ... ... ... ... ... | 1,253,510 |

It will be seen that there was a large increase in 1894, that a high rate of expenditure was maintained in 1895, and that in 1896 it became very much higher. Was this increase

really due to fears of another Raid, or was it part of a settled policy which the Raid served to excuse and strengthen? The latter seems to me the conclusion which is supported both by the figures and by the probabilities of the case. Obviously, heavy orders had been placed in Europe before the Raid.[1] Was that due to a prophetic suspicion of the Raid? The Transvaal Government said they had no such suspicion. Was the subsequent expenditure due to an attack of 'nerves,' induced by the Raid? President Kruger had not found the chopping off of the 'tortoise's head' very costly. In the case of the armaments, as of the repressive laws against the Uitlanders, the Raid fiasco destroyed the occasion for them, while it supplied the excuse. The real occasion for the armaments was different. Mr. Kruger's consistent line of policy involved a constant risk of internal disturbance and external conflict. This risk required to be insured against, and the wealth poured into Mr. Kruger's exchequer by the enterprise of the Uitlanders provided him with the insurance money. Lord Loch's visit in 1894 had first brought the imminence of the risk home to Mr. Kruger. The Drifts crisis in 1895 must have enforced the warning; yet there would have been a risk also in insuring too obviously. The British Government might have wanted to know the reason why, if on no colourable occasion Mr. Kruger had proceeded to make his Republic the arsenal of South Africa. The Raid furnished the excuse.[2] Mr. Kruger seized it, to what good purpose the armaments which have 'staggered humanity' have shown.

[1] In answer to a question in the House of Commons, on February 12, 1900, Mr. Powell Williams said, on behalf of the Government: 'It is known to be the case that orders for armaments were placed by the Boers in Europe as early as 1894.'

[2] Mr. Chamberlain, in March, 1896, did want to know the reason why. Lord Rosmead replied that 'the military preparations were defensive and not offensive. Boers generally believe that the recent Raid was, if not instigated, at all events connived at, by Her Majesty's Government, and that an attack upon their independence will be renewed on the first favourable opportunity' (C. 8063, p. 17).

## CHAPTER XI

### BEFORE THE STORM: LORD MILNER

Reasons for a pause—Hope that President Kruger might introduce reforms—Possible pressure from the Dutch—Waiting on Lord Milner—General approval of his appointment—His study of local conditions—Learning the 'Taal'—Plain-speaking at Graaff Reinet—Appeal to the Dutch—The situation at the end of 1898—Lord Milner and Sir William Butler—Accumulating disputes with Mr. Kruger.

THE Raid provided Mr. Kruger with a magnificent opportunity, and also with a magnificent excuse. The opportunity was for peace; the excuse was for conflict. Mr. Kruger, as we have shown, chose the latter. Having chosen his course, he pursued it with uncompromising thoroughness. The very fact that he might possibly take the conciliatory course extended and increased his impunity in taking the other. We have seen how in 1896 the High Commissioner reassured the Home Government with regard to the Transvaal armaments. 'In my opinion,' added Lord Rosmead, 'our best policy is to sit still.' The High Commissioner's advice was at the time, as we have seen, sound and prudent. The mistake made by the British Government was in playing further into Mr. Kruger's hands—first by delaying their inquiry into the Raid, and then by conducting it half-heartedly. The reasons against forcing the issue in 1896 were clear. The struggle with Mr. Kruger to secure justice for the Uitlanders was sure to be severe, whether it was to lead to actual war or not. It was essential that the arm of Great Britain should not be paralyzed, as it was in 1880-81, by the sense of being in the wrong. It would certainly have been wrong to 'cover up' the trail of the Raid by an immediate insist-

ence upon reform. All fair-minded men, all who hoped for peace, felt that after the Raid there must be a time of grace. External pressure had been discredited, and it was right to wait and see what other agencies would accomplish. One was the spontaneous action of Mr. Kruger, who had promised the Reformers that he would consider their grievances. These promises led, as we have seen, to nothing. But a second possible agency was the influence of the Afrikander Bond, and of the Government in Cape Colony which rested on the Bond. Mr. Schreiner had told the South Africa Committee to hope great things from this agency. All was to come right from 'a policy of friendly hand-shake.' Indications of this sort did not, unhappily, appear; for as late as March, 1898, Lord Milner was exhorting the Afrikanders to begin. 'Their goodwill, at least,' he said, in a speech at Graaff Reinet, 'cannot be suspected across the border; and if all they desire—and I believe it is what they desire—is to preserve the South African Republic, and to promote good relations between it and the British Colonies and Government, then let them use all their influence, which is bound to be great, not in confirming the Transvaal in unjustified suspicions, not in encouraging its Government in obstinate resistance to all reform, but in inducing it gradually to assimilate its institutions, and, what is even more important than institutions, the temper and spirit of its administration, to those of the free communities of South Africa.' We were, then, waiting first for Mr. Kruger, and secondly for the Afrikander Bond. A third consideration may be added: we were waiting for the matured opinions of Lord Milner himself, a man whose level head and sound judgment were generally recognised.

Sir Alfred (now Lord) Milner had been appointed, in February, 1897, to succeed Lord Rosmead as High Commissioner and Governor of Cape Colony. The confidence felt in the new High Commissioner by all sorts and conditions of politicians was shown by the attendance and the speeches at a dinner given to him before he left for South Africa (March 28, 1897). Mr. Asquith, who was in the chair, expressed the general opinion of the company when he

said that 'Sir Alfred Milner took with him as clear an intellect, as sympathetic an imagination, and, if the need should arise, a power of resolution as tenacious and inflexible as belonged to any man of their acquaintance.'

The opinion of the press on his appointment was equally eulogistic, and those journals which were afterwards strongest on the other side were among the loudest in recognition of Sir Alfred Milner's eminent fitness for the post.

'The appointment,' wrote one, 'is an ideal one, and the news of it is the best we have been able to chronicle in the interests of South Africa through a weary and afflicting controversy. . . . Sir Alfred Milner may be trusted to do justice, and to do it with firmness, with tact, with good sense. His knowledge is great, his experience of affairs is great, in spite of his comparative youth, and he possesses, we think, the practical wisdom which is better than the most elaborate mental equipment. He has undertaken a most difficult task, in which, however, we are convinced that he will not fail. In many respects we doubt not that his views differ from those put forward in this journal, but that fact does not affect our conviction that he is essentially the right man in the right place. It is the duty of all sections of his countrymen to assist him when he wants assistance, and in any case to give him that warm and unstinted sympathy which his character and attainments, as well as the exceeding magnitude of his work, demand' (*Daily Chronicle*, February 15, 1897).

'That Sir Alfred Milner is the best man for the post there is,' wrote another, 'no manner of doubt. . . . A man with a better judgment, a leveller head, and a kinder heart, you will not find easily in a long day's march. . . . Sir Alfred Milner was born, I believe, and educated as a boy in Wurtemburg, and he is therefore peculiarly qualified for dealing with the South African Question; for it is more and more clearly becoming visible to all men that the Jameson Raid was a thrust in the dark, directed, with more energy than discretion, at the German intrigues which were aimed at ousting Great Britain from her paramount position in South Africa. To Milner German is his mother-tongue, and he

has that cosmopolitan breadth of view which enables him to defend and advance the cause of British Imperialism much more effectively than a mere John Bull bred and born. The key to South Africa lies in North Africa, and his experience in Egypt . . . gives him many advantages now that he is to be transferred to the other end of the continent, where he stands charged by his Queen and his country with seeing that the interests of Britain suffer no harm' (*Review of Reviews*, March, 1897).

And again in May Mr. Stead wrote: 'It will be for him (Sir Alfred Milner) to decide as to the opportune moment of action, and for no other person. The others may wind up the clock, but they will have to wait for Milner's leave before the clock can strike' (*Review of Reviews*, May, 1897).

Such expressions of opinion did not, of course, debar the writers from thinking and saying afterwards that they had been disappointed in their man, and from criticising his policy in the strongest terms. But, in recording such differences, it might have been recognised that Lord Milner was not likely to form opinions lightly, or to approach the problems presented to him in a spirit of prejudice.

On his arrival in South Africa, the new Governor set to work to learn the conditions of those problems on the spot. He took the greatest pains to study them at first-hand. That he started with no preconceived views is shown by the policy of patience and conciliation which he advocated in his speeches, and by the trouble he took to come into direct contact with Dutch ideas. Among other things, he devoted himself to learning 'the taal,' the South African form of the Dutch language. This undertaking was the subject of a complimentary reference when the High Commissioner went on a visit to Bloemfontein, in 1898. 'I wish to refer,' said the chairman at a banquet, 'to the pleasure it gives me to know of His Excellency's desire to cultivate a knowledge of the language of our country. I may say this is the only means of His Excellency knowing our views, the views of the Dutch-speaking population of South Africa, with reference to the burning questions of the day.' How far Lord Milner's studies extended, I do not know; but certainly far

enough to enable him to read the Dutch papers in the original.

Gradually Lord Milner formed definite views with regard to the situation in South Africa, and he expressed them in clear terms. In March, 1898, he visited Graaff Reinet, and received there an address from the local branch of the Afrikander Bond. The Bond protested its loyalty. The High Commissioner, in reply, made a notable speech. He took the loyalty of the Bond for granted:

'Why should I not? What reason could there be for any disloyalty? Of course you are loyal. Under that Government you have, at least as regards the white races, perfect equality of citizenship, and these things have not been won from a reluctant Sovereign. They have been freely and gladly bestowed upon you because freedom and self-government, justice and equality, are the first principles of British policy, and they are secured to you by the strength of the Power that gave them, and whose navy protects your shores from attacks without your being asked to contribute one pound to that protection unless you yourselves desire it. Well, gentlemen, of course you are loyal. It would be monstrous if you were not.'

Where, then, and why, the High Commissioner went on to inquire, does any doubt about Dutch loyalty come in? 'If we had only domestic questions to consider, no such doubt,' he said, 'would arise.' But there was another question:

'I mean the relations of Her Majesty's Government to the South African Republic, and that whenever there is any prospect of any differences between them a number of people in the Colony at once vehemently, and without even the semblance of impartiality, espouse the side of the Republic.'

Such espousal, the High Commissioner went on to say, was not in itself proof of disloyalty. It sprang from ties of close relationship, and from a fear that Great Britain had aggressive designs on the Transvaal:

'But that assumption is the exact opposite of the truth. So far from seeking causes of quarrel, it is the constant desire of the British Government to avoid causes of quarrel, and not to take up lightly the complaints—and they are numerous—which reach it from British subjects within the Transvaal, for the very reason that it wishes to avoid even the semblance of interference in the internal affairs of that country; and as

regards its external relations, to insist only on that minimum of control which it has always distinctly reserved, and has reserved, I may add, solely in the interests of the future tranquillity of South Africa. That is Great Britain's moderate attitude, and she cannot be frightened out of it. It is not any aggressiveness on the part of Her Majesty's Government which now keeps up the spirit of unrest in South Africa. Not at all. It is that unprogressiveness—I will not say the retrogressiveness—of the Government of the Transvaal and its deep suspicion of the intention of Great Britain which make it devote its attention to imaginary external dangers, when every impartial observer can see perfectly well that the real dangers which threaten it are internal.'

And that being so, the High Commissioner made the appeal to the Dutch which I have quoted above (p. 102), to bring their influence to bear in the direction of internal reform in the Transvaal.

This was plain speaking, and from that moment Lord Milner became a marked man among the extreme section of Afrikanders.[1] His plain speech gave offence, also, in the eyes of all those who confuse impartiality of temper with indefiniteness of judgment, and whose ideal of statesman-like utterances is to say, 'On the one hand, yes,' but 'on the other hand, no.' To this matter, however, we shall have to recur by-and-by. For the present, what we have to notice

[1] He fell still more into their bad books after Bloemfontein. He was polite to Mr. Kruger, but he knew too much. The Afrikander Bond afterwards organized a campaign against the High Commissioner, which was also actively taken up on this side. It had been long expected, as the following letter from Cape Town, received early in 1900, will show:

'An Afrikander friend of mine has just been in. He tells me that the main object of the Bond now is to discredit Sir Alfred Milner. The resolution to be submitted to the coming Bond Congress is only a beginning. The Cape Dutch will probably go to the extent of passing resolutions all over the country condemning the High Commissioner's policy. In fact, every possible effort will be made to get Milner removed before the time for the settlement comes. Hofmeyr would like the settlement to be left in the hands of some military man who cannot be expected to know anything about the real politics of South Africa. If, after the resolutions have been passed at the Bond Congress, and in the various Dutch districts, condemning the High Commissioner's policy, nothing is done by the Imperial Government, then the Bond will petition specifically for the removal of Sir Alfred Milner. One of the leading members of the Bond has offered to bet my friend that Milner will be cleared out of South Africa at the end of the war' (*Daily News*, June 12, 1900).

is that the High Commissioner's appeal produced no tangible effect in ameliorating the condition of things in the Transvaal.

The situation at this time, then—at the end of 1898—was this: The British Government was 'sitting still,' but three years had elapsed since the Raid, and nothing had been done to remedy the state of things out of which that adventure had grown. President Kruger, on his side, had made no serious attempt to meet the political grievances of the Uitlanders; the industrial grievances also remained unredressed; and questions of disagreement between the two Governments were multiplying. The Chamber of Mines was protesting against the new gold tax. (A report of the protest was received by the Colonial Office on December 19.) On the same day the Colonial Office received news through the British Agent at Pretoria that Johannesburg was greatly irritated by a concession for a drainage-scheme granted by the Government to one of the proprietors of the Government organ, the *Standard and Diggers' News* (C. 9345, p. 76). Mr. Chamberlain was at the same time (December 15) continuing his protests against the Transvaal's breach of the Convention in the matter of foreign treaties. Another question was of additional interest as revealing a serious antagonism in matters of policy between the High Commissioner and Sir William Butler, the Commander-in-Chief. Lord Milner was absent from Africa on leave from November, 1898, to February, 1899. In the absence of the High Commissioner, the Commander-in-Chief becomes, *ex-officio*, his *locum tenens*. Among the questions in dispute between the Transvaal and the British Government was the maltreatment of coloured British subjects (C. 9345, pp. 82-104). This was not a new grievance. It had formed the subject of a special arrangement with the Transvaal Government in 1897. In November, 1898, during Lord Milner's holiday, fresh outrages occurred. The British Agent at Pretoria took a very serious view of them, and the Transvaal Government itself promised redress, and 'expressed strong disapproval of the action of the Field Cornet respecting Cape Boys.' A Commission was appointed, and

its proceedings were published. The decision of the Transvaal Government thereon was in suspense, and in these critical circumstances Sir William Butler penned the following despatch to the Secretary of State:

'A perusal of the newspaper reports of the sittings of the Commission of Inquiry leaves the general impression on the reader's mind that a considerable amount of rough usage was experienced by certain coloured persons at the hands of the police in Johannesburg during night raids which took place in the month of October last, but it still remains matter for doubt how far the necessities of order and police regulation in a place such as Johannesburg, where so many people of suspicious character and doubtful antecedents are liable to come together, may call for exceptional vigilance and supervision by those who are responsible for the preservation of order.

'It is not improbable that the action taken by the Field Cornet in relation to a more rigorous application to certain persons of the provisions of the law governing passes and badges among natives may have been influenced by considerations such as those suggested by Mr. Fraser, but in my opinion it would be quite as much within the region of probability to suppose that the attitude of the officials of the South African League in Johannesburg, in relation to police and other authority there, was responsible for much of the tone and temper adopted by the Field Cornet and his officials towards the Cape Boys and other strangers in the city. Be that as it may, I am convinced by the knowledge of facts which it is impossible to ignore that it is necessary to receive with caution, and even with a large measure of suspicion, statements emanating from the officers of this organization.

'I have, etc.,
'W. F. BUTLER,
'Lieutenant-General,
'Administrator and Acting High Commissioner.'

The date of this despatch was January 11. Whether its contents were officially or unofficially allowed to leak out, whether Sir William Butler made any secret or not of his attitude, I cannot say. But it should be observed that, at the time of writing his despatch, he was more Krugerite than Mr. Kruger. Mr. Kruger had expressed strong disapproval of the action of the police. General Butler palliated it. A fortnight later, Mr. Kruger came round to General Butler's view, and reinstated the Field Cornet, who had previously been suspended on the representation of the British Agent. Shortly afterwards Lord Milner

returned to his post. His feelings on discovering how, in his absence, the Acting High Commissioner had sought to undermine and counteract the efforts being made by the High Commissioner and the British Agent to obtain redress for the ill-treatment of British subjects may be better imagined than described.[1] The High Commissioner, in subsequently reviewing the transaction, protested strongly against the Field Cornet's reinstatement. The treatment of these coloured subjects of the Queen had been the subject of remonstrance for some years. 'It is impossible,' he said, 'that a persecution so systematic and persistent as that directed against these coloured people could take place if the Government were firmly resolved that it should cease.' The Transvaal Government, it was clear, had no such resolve; its policy in all directions was, as we described in Chapter IX., one of exasperating all existing sores. The incidents referred to here were not of first-rate importance, but they show the general drift and tendency of events. In December, 1898, three years had elapsed since the Raid. The South African situation was the same then as it was in 1895 before the Raid, and in 1894 when Lord Loch visited Pretoria: the political atmosphere was charged with electricity; any spark might cause an explosion.

[1] It may reasonably be conjectured that the one despatch printed in the Blue-Book did not stand alone. But, even if it did, it was sufficiently obvious that either the High Commissioner or the Acting High Commissioner would sooner or later have to be recalled. General Butler was recalled in August, 1899, and succeeded by Sir F. W. Forestier-Walker. On his return General Butler was appointed to the command of the Western District.

## CHAPTER XII

### THE STORM BURSTS: THE EDGAR CASE

The shooting of Edgar—Agitation at Johannesburg—Petitions to the Queen—Importance of the appeal—Mr. Kruger's secret negotiations with the capitalists—Attempt to secure their approval of the dynamite monopoly—A nine-years' franchise scheme—Mr. Kruger's Toryism—Hollowness of the scheme—Rejected by the Uitlanders—Rupture of the negotiations with the capitalists.

THE spark that caused the explosion was the shooting of Edgar. Edgar was a British artisan employed in Johannesburg. There had been a street brawl in which he was engaged. The police without a warrant broke into Edgar's house. There was a scuffle, and a policeman shot Edgar dead. He was liberated on small bail. His trial was very unsatisfactory according to English notions of justice. The judge charged for an acquittal; the jury found it, and the judge in conclusion hoped the police would in like cases always do their duty. All this was unpleasant, but it would be a mistake to make very much of the Edgar case.[1] It was the kind of blunder that might occur anywhere, and by itself it was not enough to cause or justify any violent outcry. But it was not an isolated incident: it was symptomatic of many deep-seated grievances, and it served to introduce a new era in the history of South Africa.

The conduct of the police was one of the grievances which most rankled in the hearts of the Uitlanders. The police were incompetent to deal with gross scandals like the illicit

[1] Full particulars will be found in the Blue-Book of 1899, C. 9345. Lord Milner's opinion of the case is given at p. 210; Mr. Chamberlain's at p. 229.

liquor trade, and harsh and arbitrary in dealing with individual cases. It now appeared that the armed police were to be free to shoot unarmed Uitlanders at sight if any resistance were offered. Again, confidence in the administration of the law had been shaken by the President's dealing with the High Court. In this case it was certainly not restored. At the shooting of Edgar the smouldering discontent in Johannesburg burst once more into flame. Committees were formed and indignation meetings were held. At one of these a very strongly-worded petition to the Queen was adopted. The British Agent declined to accept it, on the ground that its terms had been previously communicated to the press. Another meeting, called with the knowledge and consent of the Government, was broken up at the instigation of the authorities.[1] This was on January 14, 1900. Two months later (March 24) a new petition to the Queen, signed by 21,684 British subjects at Pretoria, was presented to the British Agent. It was accepted by him and forwarded to the High Commissioner, who on March 28 posted it to the Secretary of State. In doing so, Lord Milner vouched for its general good faith, and in a later despatch warmly supported its plea. It was received at the Colonial Office on April 14. Upon the treatment of it by Her Majesty's Government great issues were to depend.

The importance of the petition was well understood at Pretoria, where interesting events were taking place. We may leave the petition in the post while we follow the course of these proceedings. They will introduce us to one of the questions which was to play a prominent part in the negotiations immediately preceding the war. They will also show us some of the factors which Her Majesty's Government had to take into account in considering the petition. In the early months of 1899 President Kruger made an ingenious attempt to give 'Master Joe a fall,' as Mr. Labouchere would call it, or, as we may prefer to say, to corner the British Government and reduce the Imperial factor in South Africa to impotence. The scheme was as bold as it was ingenious and comprehensive. Mr. Kruger was being hard

[1] The affidavits justifying this statement are given in C. 9345, No. 54.

pressed at the time over his favourite Dynamite Concession, which was falling in for renewal. The Volksraad had no reason to be equally enamoured of it. Mr. Chamberlain had sent a despatch declaring it to be a violation of the Convention (January 13, 1899).[1] The capitalists had offered to provide the Government on favourable terms with the money necessary for cancellation. That was the dynamite situation. The local political situation was, as we have seen, one of considerable tension, and the petition to the Queen threatened further complication. Apart from this, discussions with the Imperial Government were becoming more and more acrimonious. In this situation Mr. Kruger and those about him bethought themselves of a scheme which, if it were to succeed, would at one and the same time save the Dynamite Concession, silence the political Uitlanders, and leave the Imperial Government in the lurch, and yet in no way really touch the existing régime at Pretoria. *Divide et impera* was the maxim on which the scheme turned. The idea was to divide the capitalists from the bulk of the Uitlander population. The capitalists were to be promised some concessions, in return for which they were (*a*) to tolerate the dynamite scandal, and (*b*) to damp down the political agitation. This latter course was to be made possible by the promise of some political concessions—concessions which would look as if they gave something, but which really would have given nothing.

If the scheme had come off, Mr. Kruger's victory for the moment would have been complete. The Imperial Government would have protested against the dynamite monopoly, only to find that the persons immediately concerned had in the meanwhile approved it. The Imperial Government might take up the petition to the Queen, only to find that the petitioners were either divided among themselves or were satisfied for the time. It was a very clever scheme. If two favourite theories of the pro-Boers had been true, it might have succeeded, namely, that the agitation at Johannesburg was all 'a put-up job' of the capitalists, and that the

[1] See the 'Correspondence relating to the Explosives Monopoly in the South African Republic' (Blue-Book, C. 9317).

capitalists cared for nothing except their immediate pecuniary interests. If these things had been so, President Kruger's scheme would have gone through. But these things were not true. The capitalists declined to accept any settlement on the political side unless the people of Johannesburg approved of it. And the people of Johannesburg did not approve of it, because the settlement offered by Mr. Kruger was a palpable sham. He could not bring himself—he probably had no intention—to make any real concession at all. That was why this local attempt to patch up a settlement came to grief. The same reason explains, as I think we shall find, why the subsequent negotiations with the Imperial Government also proved abortive.

The negotiations with the capitalists Mr. Kruger desired to keep secret. When they were disclosed, and his failure to separate the capitalists from the rest of the Uitlanders was made patent, he tried, not very successfully, to repudiate all direct responsibility for them. The capitalists were prepared to saddle themselves with a continuance of the dynamite scandal—on somewhat modified terms—as the price of a settlement satisfactory in other respects; but they insisted that the political proposals must be agreeable to the general body of the Uitlanders.[1] Mr. Kruger's promises in the political sphere were public. They were made in a series of speeches. The principal speech was delightfully characteristic of the man. It was racy. It was plausible. But it was the speech of a hopeless Tory. Lord Salisbury is so far an opportunist that his Toryism only occasionally outcrops, as they say on the Rand. Mr. Kruger's solid reef of Toryism never disappears beneath the surface—not even when he is promising reforms. There had been petitions for redress of grievances. 'If people said they were oppressed or had grievances, it meant,' said President Kruger, 'that they wished to get away from this Government.' That is the Tory philosophy of politics. No one has any reason to have a grievance. If he has, it shows that he is a bad man and the dupe of wicked agitators. There had been talk

[1] Documents in which the whole story may be traced in detail will be found in C. 9345, section vi. See also FitzPatrick, chap. xi.

about taxation without representation. President Kruger's was the good old Tory creed that the only thing people have to do with taxes is to pay them. 'They must go to their homes,' he said, 'and do their work, and he would do everything for them.' It had been complained that the Transvaal was a close oligarchy, and that the original squatters enjoyed a monopoly of political power, to the exclusion of all other inhabitants. Why not? replies the President. 'He would not be worthy to be head of the State if he did not guard the burghers'—against the inrush of democracy. 'He made no distinctions of nationalities—only between loyal and disloyal people' (Speech at Johannesburg, April 1, 1899). The disloyal people, no doubt, were those who were deprived of burgher rights, and who presumed to agitate for them.

As for the substance of the reform promised by Mr. Kruger, it consisted merely in reducing the term of nationalization from fourteen years to nine. This, as I pointed out at the time, was a mockery. For (1) in the first place, even if other points had been satisfactory, nine years was still an unreasonably long term. But other points were not satisfactory. (2) The operation of the concession, such as it was, was not to be retrospective. It would still be impossible for a man not hitherto naturalized to attain full citizenship in less than nine years from the date of the new law, even though he might already have been resident for fifteen years in the country. (3) After, as before the new law, a man could only be naturalized—*i.e.*, admitted to the period of probation, in which he had lost one citizenship without attaining another—by an oath, in which he not only swears fealty to the South African Republic, but renounces, with offensive emphasis, his existing allegiance. It is quite true, as Mr. Kruger said, that there could be 'no bigamy.' A man, if he determined to wed himself to the Transvaal, must divorce himself from Great Britain. For a certainty of an effective franchise in the Transvaal he might be ready to renounce his old allegiance; but, in fact, it was not a right to the franchise at all that Mr. Kruger offered him, but only a prospect. And, in the next place (4), the prospect was not very promising; for his admission to full citizenship, even after his renunciation and

the nine years following it, was still to be dependent upon the consent of two-thirds of the burghers of his district, and also upon the approval of the Government. The caprice of the Executive might, after all, deprive him of his vote. The consent of two-thirds of the burghers would be difficult to obtain. Nor is that all; for (5) a simple resolution of the First Raad, passed at twenty-four hours' notice, might still at any time upset the proposed arrangement. What value could be attached to a promise in 1899 to admit a man to the franchise in 1908, when at any time during the intervening nine years the law might be altered? Besides (6), Mr. Kruger's promise included at this time no mention of any redistribution. Therefore, even if all the Uitlanders in Johannesburg had been naturalized, and had outnumbered the old burghers in the whole of the Transvaal, they would still only return one member in a Raad of twenty-eight. The so-called reforms amounted, it will, then, be seen under examination, to nothing at all. It was not retrospective. It was surrounded by barbed-wire impediments. It was accompanied by no redistribution.

The representatives of the Uitlanders to whom the capitalists submitted the scheme rejected it as entirely valueless. A deputation of working men which waited on the British Agent expressed the same opinion. President Kruger's scheme, therefore, came to nothing. The next move still rested, therefore, with Her Majesty's Government, to whom the Uitlanders had appealed.

# PART III

## NEGOTIATIONS AND ULTIMATUM : MARCH—OCTOBER, 1899

## CHAPTER XIII

### THE PETITION TO THE QUEEN

Prayer of the petition—Its *bona fides*—Status of the petitioners—Support of the petition in Cape Colony and Natal—Lord Milner endorses the petition—Criticisms of his 'helots' despatch considered—Three courses open to the Home Government—Objections to pigeon-holing the petition or taking it up half-heartedly—Decision of the Government to take it up resolutely—British despatch of May 10—Bloemfontein Conference arranged.

THE petition to the Queen reached the Colonial Office on April 14. It recited the course of affairs since 1895, enumerating the various grievances which have been noticed in previous chapters,[1] and concluded with the following paragraphs :

'The condition of Your Majesty's subjects in this State has indeed become well-nigh intolerable.

'The acknowledged and admitted grievances of which Your Majesty's subjects complain, prior to 1895, not only are not redressed, but exist to-day in an aggravated form. They are still deprived of all political rights, they are denied any voice in the government of the country, they are taxed far above the requirements of the country, the revenue of which is misapplied and devoted to objects which keep alive a continuous and well-founded feeling of irritation, without in any way advancing the general interest of the State. Maladministration and peculation of public moneys go hand-in-hand, without any vigorous measures being adopted to put a stop to the scandal. The education of Uitlander

[1] The text of the petition will be found at pp. 185-189 of C. 9345.

children is made subject to impossible conditions. The police afford no adequate protection to the lives and property of the inhabitants of Johannesburg; they are rather a source of danger to the peace and safety of the Uitlander population.

'A further grievance has become prominent since the beginning of the year. The power vested in the Government by means of the Public Meetings Act has been a menace to Your Majesty's subjects since the enactment of the Act in 1894. This power has now been applied in order to deliver a blow that strikes at the inherent and inalienable birthright of every British subject, namely, his right to petition his Sovereign. Straining to the utmost the language and intention of the law, the Government have arrested two British subjects who assisted in presenting a petition to Your Majesty on behalf of four thousand fellow-subjects. Not content with this, the Government, when Your Majesty's loyal subjects again attempted to lay their grievances before Your Majesty, permitted their meeting to be broken up, and the objects of it to be defeated, by a body of Boers, organized by Government officials and acting under the protection of the police. By reason, therefore, of the direct, as well as the indirect, act of the Government, Your Majesty's loyal subjects have been prevented from publicly ventilating their grievances, and from laying them before Your Majesty.

'Wherefore Your Majesty's humble petitioners humbly beseech Your Most Gracious Majesty to extend Your Majesty's protection to Your Majesty's loyal subjects resident in this State, and to cause an inquiry to be made into grievances and complaints enumerated and set forth in this humble petition, and to direct Your Majesty's representative in South Africa to take measures which will insure the speedy reform of the abuses complained of, and to obtain substantial guarantees from the Government of this State for a recognition of their rights as British subjects.'

The reception of this petition by Her Majesty's Government was a landmark in the history of the South African question. Who, then, were the petitioners? Was it a *bonâ-fide* petition? Were the promoters of it responsible men entitled to consideration? There is no doubt whatever that both these questions must be answered in the affirmative. Some holes were picked in the signatures in the petition, and a counter-petition was organized. But it was clearly established by affidavits published in the Blue-Books that the original petition was the *bonâ-fide* expression of opinion on the part of persons whose signatures were properly secured.[1] It was promoted by the Johannesburg branch of the South

[1] See C. 9518, pp. 32, 34, 48, 59; also C. 9514, p. 60.

African League. Who were the men composing it? Here is the report of the British Agent at Pretoria on this point:

'Generally speaking, the president and members of the committee may be described as belonging to a highly-educated professional class, and, as it happens, perhaps not unnaturally here, they are almost all professional mining engineers, some of them in the employment of the largest financial houses, and all of them in receipt of salaries of from £2,000 to £600 a year. The president himself (Mr. Wynberg) last week was compelled to sever his connection with one of the most influential and richest corporations on account of what the latter stated to be its duty to its shareholders not to mix itself up in Transvaal politics. He is establishing himself now as a consulting engineer, as his professional merits are recognised even by those who condemn his political views, and recently by the Government organ itself. All the other leaders are, without doubt, in different degrees, most honourable members of the professions to which they belong. . . . They are not, as has been alleged, men in the political service of capitalists; indeed, they have no large funds at their disposal, the highest subscription being one of £50, and that from England, as announced at a recent meeting. Nor are they poor men with nothing to lose, but rather, as they have openly announced, fathers of families of the professional class, who desire to see the progress here which would hereafter render the Transvaal a fit field for the occupation of their sons' (C. 9345, pp. 135, 136).

The High Commissioner's testimony with regard to the backbone of this new reform movement in Johannesburg was to like effect:

'As you are well aware, it is a favourite device of the Government organs in the South African Republic, and of the apologists of the Government elsewhere, to attribute the Reform movement, which is once more assuming such formidable proportions, to the intrigues of capitalists. . . . Some of them, whose only desire is to get out of the country as soon as possible, are in favour of peace and quiet on any terms, simply because they reckon on making money faster, and therefore getting away faster, than they could do in a time of political unrest. But those who from necessity or from choice foresee a longer sojourn or permanent residence in the country are less tolerant of a misgovernment that may affect them and their children for long years. These are the men—and they number many thousands—who of all the Uitlanders would probably make the best citizens of the State, yet whose admission to citizenship is at present subject to conditions which render it difficult and almost impossible' (C. 9345, p. 207).

The secretary of the League was the late Major T. R. Dodd:

'Born agitator he was; but, Radical and democrat to the core, he was just the man to be found on the labour side if and when in the new Transvaal, Capital versus Labour becomes a real and not a bogus issue. Dodd came from working men's politics on Tyneside to working men's politics at Johannesburg in 1895, or thereabouts. He was a mechanical engineer by profession, an enthusiast by nature, a lay-preacher and stump-orator by habit. Dodd had a passion of ambition—the right, clean, frank kind. Calling on a friend who had settled in South Africa about the same time as himself, and entered the Cape Parliament, he exclaimed, after listening to his friend's plans of public work: "How long will it be before *we* can do this sort of thing in the Transvaal? Public work is the only life worth living!" Chafing at inaction during the war, he was largely instrumental in getting a lot of Outlanders, who were no riders, and were stranded in Cape Town, formed into a new battalion of the Railway Pioneer Corps a few months ago, of which he became Major, and so went to the front. Only a few weeks ago I had a letter from him, full of a civilian's new martial ardour, and smiling at himself for it, in which he says: "Our chaps are very good: the flower of the Rand workmen 'playing the game.' It will give us a good start both with volunteer organization and with politics." "The flower of the Rand workmen" were always the central idea in Dodd's political dreams for the Transvaal' (F. E. Garrett in the *Westminster Gazette*, March 12, 1901).

Major Dodd afterwards died from enteric while on active service with his battalion near Johannesburg. 'The silent eloquence of the hospital tent answers all arguments and silences all sneers. It is the best of perorations.' It may be added that the Uitlanders generally have done yeoman's service in the Transvaal War, and proved that they were quite willing to shed their blood for the cause. Thousands joined the irregular troops, and such forces as the Imperial Light Horse were largely made up of the Uitlanders who had been the backbone of the Reform movement in Johannesburg before the war. Among them special mention should be made of Mr. Wools Sampson and Mr. Karri Davies, the Reformers of 1896, whom Mr. Kruger kept in prison for months because they would not promise to abstain from subsequent agitation.

The petitioners were not, then, capitalist tools, nor were

they the riffraff of a mining-camp.[1] They were potential citizens of character and position. They were British subjects, who had settled in the Transvaal under a Convention granted by the British Government. Denied redress of grievances by the Transvaal Government, they appealed to the Queen. Their appeal met with widespread sympathy throughout British South Africa, and the petition may thus be said to have carried with it far more than the names actually appended.

Working men's meetings were held at the mines supporting the petition (C. 9345, pp. 203, 204, 209). In Natal, a town's meeting was held at Pietermaritzburg 'to express its strong sympathy with British subjects in the South African Republic in the grave difficulties and dangers under which they are suffering,' to 'support the demands by British subjects in the Transvaal for a recognition of their rights, the refusal of which is a menace to the peace of South Africa, and respectfully petitions Her Majesty's Government to intervene to remove this cause of South African unrest' (*ibid.*, p. 135).

In Cape Town and the other leading cities in Cape Colony resolutions were afterwards passed at public meetings endorsing the Uitlanders' petition (C. 9415, p. 26 *et seq.*). Another petition to the Queen, endorsing the one from the Transvaal, was circulated in Natal, and received over 6,000 signatures. An identical petition was signed by 38,500 British subjects in Cape Colony and 2,000 in Rhodesia

[1] It is often claimed, I believe with perfect justice, that the population of Johannesburg was unusually law-abiding and well-behaved considering the nature of the employment of the majority of its inhabitants ('Impressions of South Africa,' p. 384). Olive Schreiner regards this as a proof of the extraordinary political adaptability of the Boers ('Words in Season,' p. 62). A more scientific and less sentimental reason seems to be that the Witwatersrand gold-reefs are of a peculiar kind. Their yield and extent can be calculated with astonishing accuracy, and so gold-seeking on the Rand early became an affair of finance and settled industry, and not of adventure ('The Inevitable in South Africa,' *Contemporary Review*, October, 1899). The real riffraff of Johannesburg was the intensely anti-British Rand proletariat belonging to various European nationalities (see Lord Milner's despatch, Cd. 547, p. 55).

(C. 9415, p. 47, C. 9518, p. 15). Sympathy with the Uitlanders extended also to the other colonies (see Chapter XXXIII.). It will thus be seen that the Uitlanders' petition did not merely represent the views of the signatories in the country. Rather was it the expression of the views of the British colonists throughout South Africa.

What action should the Queen's Government have taken thereon? Lord Milner, the High Commissioner, did not leave the Government in any doubt about his advice. On May 4 he sent home a long telegraphic despatch, in which he reviewed the whole situation (C. 9345, p. 211). After referring to the Edgar matter and other recent incidents, and stigmatizing as 'a wilful perversion of the truth' the attempt to represent the agitation as the work of scheming capitalists or professional agitators, he went on to press the petition upon the earnest attention of Her Majesty's Government. This part of the despatch is so important that we must have it textually before us:

'A busy industrial community is not naturally prone to political unrest. But they bear the chief burden of taxation; they constantly feel in their business and daily lives the effects of chaotic local legislation and of incompetent and unsympathetic administration, they have many grievances, but they believe all this could be gradually removed if they had only a fair share of political power. This is the meaning of their vehement demand for enfranchisement. Moreover, they are mostly British subjects, accustomed to a free system and equal rights; they feel deeply the personal indignity involved in a position of permanent subjection to the ruling caste, which owes its wealth and power to their exertion. The political turmoil in the Transvaal Republic will never end till the permanent Uitlander population is admitted to a share in the Government, and while that turmoil lasts there will be no tranquillity or adequate progress in Her Majesty's South African dominions.

'The relations between the British Colonies and the two Republics are intimate to a degree which one must live in South Africa in order fully to realize. Socially, economically, ethnologically, they are all one country, the two principal white races are everywhere inextricably mixed up; it is absurd for either to dream of subjugating the other. The only condition on which they can live in harmony, and the country progress, is equality all round. South Africa can prosper under two, three, or six Governments, but not under two absolutely conflicting social and political systems, perfect equality for Dutch and British in the British Colonies side by side with permanent subjection of British to Dutch in one of the

Republics. It is idle to talk of peace and unity under such a state of affairs.

'It is this which makes the internal condition of the Transvaal Republic a matter of vital interest to Her Majesty's Government. No merely local question affects so deeply the welfare and peace of her own South African possessions. And the right of Great Britain to intervene to secure fair treatment of the Uitlanders is fully equal to her supreme interest in securing it. The majority of them are her subjects, whom she is bound to protect. But the enormous number of British subjects, the endless series of their grievances, and the nature of those grievances, which are not less serious because they are not individually sensational, makes protection by the ordinary diplomatic means impossible. We are, as you know, for ever remonstrating about this, that, and the other injury to British subjects. Only in rare cases, and only when we are very emphatic, do we obtain any redress. The sore between us and the Transvaal Republic is thus inevitably kept up, while the result, in the way of protection to our subjects, is lamentably small. For these reasons it has been, as you know, my constant endeavour to reduce the number of our complaints. I may sometimes have abstained when I ought to have protested from my great dislike of ineffectual nagging. But I feel that the attempt to remedy the hundred and one wrongs, springing from a hopeless system, by taking up isolated cases, is perfectly vain. It may easily lead to war, but will never lead to real improvement.

'The true remedy is to strike at the root of all these injuries—the political impotence of the injured. What diplomatic protests will never accomplish, a fair measure of Uitlander representation would gradually, but surely, bring about. It seems a paradox, but it is true that the only effective way of protecting our subjects is to help them to cease to be our subjects. The admission of Uitlanders to a fair share of political power would, no doubt, give stability to the Republic. But it would, at the same time, remove most of our causes of difference with it, and modify, and in the long-run entirely remove, that intense suspicion and bitter hostility to Great Britain which at present dominates its internal and external policy.

'The case for intervention is overwhelming. The only attempted answer is that things will right themselves if left alone. But, in fact, the policy of leaving things alone has been tried for years, and it has led to their going from bad to worse. It is not true that this is owing to the Raid. They were going from bad to worse before the Raid. We were on the verge of war before the Raid, and the Transvaal was on the verge of revolution. The effect of the Raid has been to give the policy of leaving things alone a new lease of life, and with the old consequences.

'The spectacle of thousands of British subjects kept permanently in the position of helots,[1] constantly chafing under undoubted grievances,

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[1] Lord Milner was much criticised for the use of the word 'helots.'

and calling vainly to Her Majesty's Government for redress, does steadily undermine the influence and reputation of Great Britain and the respect for the British Government within the Queen's dominions. A certain section of the press, not in the Transvaal only, preaches openly and constantly the doctrine of a republic embracing all South Africa, and supports it by menacing references to the armaments of the Transvaal, its alliance with the Orange Free State, and the active sympathy which in case of war it would receive from a section of Her Majesty's subjects. I regret to say that this doctrine, supported as it is by a ceaseless stream of malignant lies about the intentions of the British Government, is producing a great effect upon a large number of our Dutch fellow-colonists. Language is frequently used which seems to imply that the Dutch have some superior right even in this Colony to their fellow-citizens of British birth. Thousands of men peaceably disposed, and, if left alone, perfectly satisfied with their position as British subjects, are being drawn into disaffection, and there is a corresponding exasperation on the side of the British.

'I can see nothing which will put a stop to this mischievous propaganda but some striking proof of the intention of Her Majesty's Government not to be ousted from its position in South Africa. And the best proof alike of its power and its justice would be to obtain for the Uitlanders in the Transvaal a fair share in the government of the country which owes everything to their exertions. It could be made perfectly clear that our action was not directed against the existence of the Republic. We should only be demanding the re-establishment of rights which now exist in the Orange Free State, and which existed in the Transvaal itself at the time of, and long after, the withdrawal of British sovereignty. It would be no selfish demand, as other Uitlanders besides those of British birth would benefit by it. It is asking for nothing from others which we do not give ourselves. And it would certainly go to the root of the political unrest in South Africa, and though temporarily it might aggravate, it would ultimately extinguish the race feud which is the great bane of the country.'

The tone of this despatch, which was published by Mr. Chamberlain on June 14, was subjected to a good deal of hostile criticism. Part of the criticism was founded on misrepresentation or misunderstanding. 'I can see nothing,' the High Commissioner had said, 'which will put a stop to this mischievous propaganda but some striking proof of the

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It was not original in this connection. At the meeting of the Transvaal National Union on July 16, 1894, Mr. J. W. Leonard, Q.C., had said: 'We protest lastly, as children of a proud race and of proud fathers, against being made pariahs and helots' (C. 8159, p. 49).

intention of Her Majesty's Government not to be ousted from its position in South Africa.' 'What have we here?' ask the commentators; 'striking! ah, you see, the High Commissioner wanted to strike; he wanted instant war.' But in the very next sentences of the despatch he proceeded to explain what he meant. 'The best proof . . . would be to obtain for the Uitlanders in the Transvaal a fair share in the government of the country which owes everything to their exertions.' This despatch was telegraphed, as its opening words show, in view of the 'likelihood of early reply by Her Majesty's Government to petition.' It was written, that is to say, in order to let the Government know what the High Commissioner thought should be done with the petition.[1]

It might be taken up by the Government, or it might be shelved. The High Commissioner thought strongly, and said strongly, that it ought to be taken up. 'Oh,' but it was said, 'Milner has lost his head. His despatch is so strong—so passionate even. This is not at all what we expected of him. We thought he was so cool, so impartial, so patient.' And so indeed he is. The High Commissioner is eminently cool, in the sense that it takes a great deal to heat him; and impartial, in the sense that he starts with no prepossessions, and forms no opinion until he has carefully weighed all sides; and patient also, in the sense—as every reader of his work on Egypt must be aware—that he sees that short-cuts are sometimes the longest way home. These characteristics of the High Commissioner ought to give the greater weight to what he says when he lets himself go. They should not, as some of his critics seemed to suppose, incapacitate him for letting himself go at all. 'He speaks straight out, and all on one side; therefore,' say they, 'he must have lost his head.' What a curious idea these critics must have of the real meaning of sound judgment and impartial temper! The virtue of these qualities consists in the ability with which evidence is weighed, not in inability

[1] The policy of publishing the despatch at the particular moment selected is another matter, and one for which Mr. Chamberlain only was responsible.

to form a clear judgment on the evidence. True statesmanship consists in clearness of vision, not in the futile art of adding for ever 'yet on the other hand' to 'while on the one hand.' What made Lord Milner's decisive judgment so weighty was the amount of evidence on which it had been formed, and the careful temper in which that evidence had been weighed.

What, then, was the policy of the Government to be? We have seen what Lord Milner's advice was. But with the Government lay the responsibility for decision. The usual three courses were before them. The petition might have been pigeon-holed. It might have been received in a half-hearted way. It might be received and a strenuous effort made to obtain justice for the petitioners. There were dangers in all courses. The first was the easiest. It was the course which some politicians advocated. There were two dangers in the other courses which the politicians to whom I refer thought conclusive. One was that intervention to secure justice for the Uitlanders would probably be unacceptable to the Dutch in Cape Colony. It was very unfortunate, we must all admit, that the Dutch party, then in office at the Cape, was not behind the Imperial Government. We must all agree that the ideal solution of the crisis would have been one in which the Dutch at the Cape should secure for the British in the Transvaal those same rights and liberties, that same equality, which the Dutch themselves enjoy in the British Colonies. But, unhappily, the ideal was not attained. The Uitlanders at last appealed to the Queen. What at this stage ought Her Majesty's advisers to have done? Were they to have replied to the petitioners, 'I must not help you, because the Dutch in Cape Colony would not approve of my interfering with the Dutch in the Transvaal'? The British in Cape Colony, the Colony of Natal, the majority in the Transvaal itself, were all on the other side; were the Dutch majority at the Cape to be given the deciding voice, and to rule the Imperial factor out of South Africa altogether? Such a policy would not have been consistent, it seems to me, either with the interests or the duty of the British Empire at large, or with the mainten-

ance of British influence in South Africa. The second danger was that of war. It was a terrible risk, but it was one which an Empire such as ours has sometimes to face.[1]

But might there not have been a middle course—pressure up to ultimatum point and no further? This course also found some supporters. Their answer to the Uitlanders' petition would have been substantially this: 'Your grievances are just, and the situation in the Transvaal is a standing menace to the peace of South Africa. But we dare not redress the grievances or deal resolutely with that menace. Mr. Kruger might prefer to fight us. We will make representations, if you like; but if Mr. Kruger stands firm we shall have to give way. It is better, therefore, to trust to time and to the chapter of accidents.' The war, which has come about from the adoption of a different policy, is a great evil. But can it be said that peace on the terms stated above would not have been an evil at least equally great? Time, it must be remembered, was not on our side. It would have been if natural forces in South Africa had free play. But they had not. In the States where the Dutch were in a numerical majority, self-government was at work. In the Transvaal, where the British were in a majority, it was not. Under the existing order, the Boers would have become more and more a dominant fighting caste.[2] In this

[1] Some remarks made by Lord Kimberley in 1881 may be recalled in this connection. They occur in a letter to the first Lord Selborne, published in his 'Memoirs': 'I entirely agree with you that we ought to maintain a firm attitude; but there is a disposition in so many members of our party to imagine that an Empire can be, and ought to be, maintained without ever resorting to force, that I foresee difficulties when it comes to the real pinch. We have, as you justly say, to consider our position, not only in South Africa, but all over the world. South Africa itself is viewed with far too much indifference by many of our politicians. Everyone who has considered the question knows that the route to India by the Suez Canal and Egypt cannot be relied upon in case of a great war. The Cape route will then be of enormous importance to us, and it is an entire delusion to imagine that we could hold Cape Town, abandoning the rest. If we allow our supremacy in South Africa to be taken from us, we shall be ousted before long from that country altogether.'

[2] 'There were authorities of great weight, for whom he personally felt the greatest respect, who contended that, grave and intolerable as the

condition of things, the middle course of taking up the Uitlanders' petition, and then, if faced by resistance from the Boers, of dropping it, would, perhaps, have been the worst of the three. To have done nothing would conceivably have done no irreparable injury to our position, for it might still be thought that 'a time would come.' To have done something and then drawn back would have been to proclaim our recognition of the Transvaal as *de facto* the paramount Power in South Africa. We should have admitted our obligation to obtain justice for British subjects in that State, but have proved an inability or unwillingness to fulfil it. The issue raised by the petition was, as we have seen, a South African one, and it was raised in the sight and hearing of the whole Empire.

If the Queen's Government had failed to support the Uitlanders' petition, the colonies elsewhere, who were closely watching the course of events, could only have concluded one of two things: either the Mother Country did not obtain redress because she could not, or because she would not. The first alternative would send a thrill of horror and dread through the outermost nerves of the Empire. 'Every colony would feel that its security had received a swinging blow. The other possibility would be that she could help, but wouldn't. In that case she would not be the Mother we

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situation had become, the time for intervention was not yet ripe. He himself was unable to take that view. It was true President Kruger was an old man, and it seemed to him (Mr. Asquith) that whatever might have been the case some years ago, his personality had ceased to be the main obstacle to reform. There had grown up a network of vested interests, including an ambitious and intelligent official caste imported from abroad, whose power and privileges were bound up with the maintenance of the existing system. The almost ostentatious impotence of the British majority had begun to react in an unfavourable way on the racial relations throughout the whole of South Africa. It was all-important in that part of the world that the two white races upon which the future of South Africa depended should live on peaceful and friendly terms. That was a state of things which could only be permanently brought about by the giving and receiving of equal rights and by reciprocal self-respect' (Mr. Asquith's speech at Ashington, November 25, 1899).

had fondly imagined her. But now that England has spoken, the very self-interest of the colonies, not to speak of their loyalty, impels them to support her, for they know that disaster and failure in South Africa would change the very face of the British Empire. The Transvaal Question is not alone a South African question, but an Australian question and a Canadian question' (Rev. W. H. Fitchett in the *Daily News*, October 26, 1899). Nor was it only the British Empire that was listening to hear what answer would be given to the petition of British subjects in distress. There was a world, not too friendly, waiting outside. Abdication in such circumstances might have been disastrous.

It cannot, therefore, be matter of surprise that the Government adopted the remaining and third course, that of taking up the Uitlanders' position in a determined spirit. The determination included a readiness to face the risk of war, but did not exclude moderation and patience. The end was to obtain a real, as opposed to a sham, settlement. The means might be, should have been, and in the main were, (as I believe) characterized by conciliation and reasonableness. The decision of the Government was formulated in Mr. Chamberlain's despatch of May 10, 1899 (C. 9345, p. 226). The despatch began with acknowledging the receipt of the petition, and saying that 'Her Majesty's Government cannot remain indifferent to the complaints of British subjects resident in other countries,' and least of all in the present case. 'The ordinary right of all Governments is strengthened in the present case by the peculiar relations established by the Conventions between this country and the Transvaal, and also by the fact that the peace and prosperity of the whole of South Africa, including Her Majesty's possessions, may be seriously affected by any circumstances which are calculated to produce discontent and unrest in the South African Republic.' The despatch then proceeds to investigate the subject of the petition, and states the British case under the various heads, financial, political, and administrative, with which the reader is already familiar. The conclusion was as follows:

'It results from this review of the facts and conditions on which the Petition is founded, as well as from the information derived from your despatches and from other official sources, that the British subjects and the Uitlanders generally in the South African Republic have substantial grounds for their complaints of the treatment to which they are subjected. It is fair to assume that these complaints are directed, not so much against individual cases of hardship and injustice, which may occur in even the best governed States, as against the system under which the sufferers are debarred from all voice in the legislation under which such cases are possible, and all control of the administration through the inefficiency of which they occur. They may be summarized in the statement that under present conditions, all of which have arisen since the Convention of 1884 was signed, the Uitlanders are now denied that equality of treatment which that instrument was designed to secure for them. The conditions subsisting in the South African Republic are altogether inconsistent with such equality, are in striking contrast to those subsisting in all British Colonies possessing representative institutions, where white men of every race enjoy equal freedom and equal justice, and new-comers are, after a reasonable period of residence, admitted to full political rights. In the Orange Free State, where similar privileges are conceded to all aliens resident in the Republic, the Dutch burgher and the foreign immigrant who enjoys the hospitality of the State live in harmony and mutual confidence; and the independence of the Republic is secured as well by the contentment and loyalty of all its citizens as by the good relations which prevail between the Government and those of other parts of South Africa.

'Unfortunately, the policy of the South African Republic has been conducted on very different lines, and but for the anxiety of Her Majesty's Government to extend every consideration to a weaker State which in recent years has had just reason to complain of the action of British subjects, and may therefore be naturally prone to suspicion and indisposed to take an impartial view of the situation, the state of affairs must have led to the most serious protest and remonstrance. Recognising, however, the exceptional circumstances of the case, Her Majesty's Government have refrained, since their despatch of February 4, 1896 (C. 7933, No. 220), from any pressure on the Government of the South African Republic, except in cases in which there has been a distinct breach of the provisions of the Convention of 1884; and they have sincerely hoped that the Government of the Republic would voluntarily meet the expectations raised by the President, and would take the necessary steps to secure that willing loyalty of all the inhabitants of the State which would be the best guarantee for its security and independence.

'They are most unwilling to depart from their attitude of reserve and expectancy, but having regard to the position of Great Britain as the Paramount Power in South Africa, and the duty incumbent upon them to protect all British subjects residing in a foreign country, they cannot

permanently ignore the exceptional and arbitrary treatment to which their fellow-countrymen and others are exposed, and the absolute indifference of the Government of the Republic to the friendly representations which have been made to them on the subject. They still cherish the hope that the publicity given to the present representations of the Uitlander population, and the fact, of which the Government of the South African Republic must be aware, that they are losing the sympathy of those other States which, like Great Britain, are deeply interested in the prosperity of the Transvaal, may induce them to reconsider their policy, and, by redressing the most serious of the grievances now complained of, to remove a standing danger to the peace and prosperity, not only of the Republic itself, but also of South Africa generally.

'Her Majesty's Government earnestly desire the prosperity of the South African Republic. They have been anxious to avoid any intervention in its internal concerns, and they may point out in this connection that if they really entertained the design of destroying its independence, which has been attributed to them, no policy could be better calculated to defeat their object than that which, in all friendship and sincerity, they now urge upon the Government of the South African Republic, and which would remove any pretext for interference by relieving British subjects of all just cause of complaint. With the earnest hope of arriving at a satisfactory settlement, and as a proof of their desire to maintain cordial relations with the South African Republic, Her Majesty's Government now suggest, for the consideration of President Kruger, that a meeting should be arranged between His Honour and yourself for the purpose of discussing the situation in a conciliatory spirit, and in the hope that you may arrive, in concert with the President, at such an arrangement as Her Majesty's Government could accept and recommend to the Uitlander population as a reasonable concession to their just demands, and the settlement of the difficulties which have threatened the good relations which Her Majesty's Government desire should constantly exist between themselves and the Government of the South African Republic.'

The British Government's proposal for a Conference had been anticipated by President Steyn and Mr. Hofmeyr, who had arranged with President Kruger to meet the High Commissioner at Bloemfontein, if the proposal were accepted on this side. Mr. Chamberlain at once agreed, and the meeting was fixed for May 31.

# CHAPTER XIV

## THE BLOEMFONTEIN CONFERENCE

Misconceptions as to issues at the Conference—Summary of the real position — Why Lord Milner put franchise first — Basis of the Conference—The British game—President Kruger's counter-game —Sir Henry de Villiers' fears—Lord Milner's franchise proposals —President Kruger's counter-proposals—Not 'a mere difference between five years and seven,' but a difference between a real settlement and a sham—Failure of the Conference.

We are now coming to a very complicated and perplexing chapter in our history. The negotiations which began at Bloemfontein on May 31 were not finally broken off till October 9, the date of the Transvaal's ultimatum. The intervening eighteen weeks were occupied with discussions which sometimes descended to small details, so that men's minds were often confused, and they wondered what all the other bother was about. Lord Milner made at the Bloemfontein Conference certain proposals for Franchise Reform in the Transvaal—proposals for altering the conditions on which British subjects in that State might become Transvaal burghers. People fixed on these proposals as if they covered the whole ground of controversy between the two countries, and as if they were regarded by the British Government as affording in themselves a complete and instant cure for all the evils of the situation. With this idea in their minds, some people asked if there were ever so much ado about so little? Was there ever so paradoxical a situation as that a Government should be on the verge of war in order to enable a body of its subjects to become the subjects of another State? Again: One

item in Lord Milner's suggestions at Bloemfontein was the adoption of five years as the period of residence necessary for entitling a new-comer in the Transvaal to a vote. This item also was seized on as containing the whole gist of the controversy; and when at one time Mr. Kruger seemed to offer a seven years' term, many good people wanted to know if it was really worth bothering about 'a mere difference of two years.' They addressed their question always to the British Government. If they had turned round and addressed it to President Kruger, they would, perhaps, have perceived the misconception under which they were labouring. For if it was ridiculous of Lord Milner to insist on merely saying 'five' instead of 'seven,' it must also have been ridiculous of President Kruger to insist on saying 'seven' instead of 'five.' Were, then, both sides quarrelling over mere nothings? Not at all. Each side was contending for essential points. Those who asked the questions described above had lost hold of the vital issues. It may be well, therefore, even at the cost of some repetition, to take precise stock of the situation as it stood during the critical weeks between June and October, 1899.

The two Governments, said Mr. Kruger, in a speech after the Conference, are 'at loggerheads.' Lord Milner, at the Conference, had said that the situation was very grave. Wherein consisted this gravity? What were the parties at loggerheads about? The stages by which, and the reasons for which, the two Governments had reached a position of acute conflict have been traced in the earlier chapters of this book. The immediate subjects of controversy were of three kinds: (1) First, there had been for many years a series of disputes over breaches of the Convention of 1884. On three occasions such breaches had brought us to the verge of war already. The discussion of these matters had raised the wider question of Great Britain's suzerainty, and had led to suggestions of arbitration. (2) Secondly, there were the grievances of the Uitlanders—grievances which were indeed contrary to the spirit, though not, for the most part, infringements of the letter, of the Convention. These grievances, which had already caused disturbances in 1894 and 1895,

had once more come to a head in the Uitlanders' petition to the Queen. (3) Thirdly, there were various questions which did not fall under either of the foregoing heads, but which were a source of constant friction between the Governments —questions such as the treatment of British Indians and other coloured British subjects, and the claim of British subjects generally to the 'most favoured nation' treatment. The friction between the two Governments was, it will be seen, cumulative. In the case of the Uitlanders' grievances, take any one of them, and you may say 'they were making much noise over very little.' So with the whole body of differences between the two Governments, it was the mass of them that made them so serious. The British Government saw in the accumulating mass evidence of deliberate bad will and bad faith. The Transvaal Government, on its side, saw in the constant agitation of the Uitlanders and repeated remonstrances of the British Government evidence of a design upon the internal independence of the Republic.

In this state of things, Lord Milner, when he met President Kruger in conference,[1] had two alternatives before him. He might have gone seriatim through the whole list of contentious questions. One shudders to think how long this would have taken, and into what quagmires and side-paths it would have led. Moreover, it would inevitably have had the appearance of interference here, there, and everywhere in the Transvaal's affairs, and was thus likely to irritate President Kruger. Lord Milner, therefore, adopted the other course. This was to put in the forefront of the discussion some one question which would serve as a test of the President's willingness to meet the British Government and the Queen's subjects in the Republic in a really friendly and conciliatory spirit. The question he selected was the franchise. In dealing with it, he had to remember the purpose with which Her Majesty's Government had sent him to Bloemfontein. The basis of the Conference was 'the purpose of discussing the

[1] Lord Milner's statement of his policy at the Conference, and of his attitude to the subsequent negotiations, will be found in the following Blue-Books: C. 9404, p. 13; C. 9521, No. 51.

situation with a view of arriving at such an arrangement as Her Majesty's Government could recommend to the Uitlander population as a reasonable concession to their just demands' (Mr. Chamberlain's statement in the House of Commons, May 18, 1899. See also his despatch of May 12, No. 91 in C. 9345). In adopting the policy of 'franchise first,' Lord Milner's idea was to put the Uitlanders in a position gradually to work out their own salvation. This would avoid the necessity, known to be distasteful to President Kruger, of intervention by the British Government in a number of separate matters. If President Kruger were to meet the British Government in a broad and friendly spirit in this crucial matter, it would reduce the number of outstanding questions, it would be evidence of his general goodwill, and would thus greatly facilitate the solution of other difficulties. It was essential that any arrangement on the franchise question should be such as Her Majesty's Government could accept and recommend to the Uitlanders as a reasonable concession to their just demands. The arrangement had, therefore, to be of such a kind as would (1) provide some immediate relief—*i.e.*, admit some Uitlanders to the franchise immediately; (2) secure the gradual enfranchisement of others; (3) create equality of political privilege between old burghers and new; and (4) be coupled with some reasonable measure of redistribution. It was a reasonable concession to Mr. Kruger that 'his burghers' should not be entirely swamped; but it would not be a reasonable concession to the Uitlanders if they were to be placed in a contemptible minority in the Raad. The principle for which Lord Milner was fighting at the Conference was this:

'The substitution of the power of self-protection on the part of the Uitlanders, through their becoming members of the State, for the imperfect protection they at present enjoy from the Convention or from whatever diplomatic action Her Majesty's Government may take, outside the Convention, for such of them as are British subjects. My idea was to enable the Uitlanders, or a large number of them, to become, if they chose, citizens of the State, *exactly on the same footing as the old citizens*, undertaking the same responsibilities, but endowed with the same privileges. No half citizenship was, from my point of view, and having

regard to my main object, admissible, even for a time, much less permanently. "For those British subjects," I said, "who want to make that country their home, I say it is the best thing to go in heartily as burghers of the Republic; but then, if they are to resign their British citizenship, let them be really equal citizens of their new State." In one respect alone was I disposed to depart from this principle of absolute equality of new and old citizens, namely with regard to their relative voting power. . . . It was a necessary corollary of a large admission of new citizens in a limited area that that area should have some increase of representation, and it was equally necessary, having regard to the intense strain resulting from the prolonged disregard by the Government and the Volksraad of Uitlander grievances, that the voices of Uitlander representatives should be heard at an early date in the ruling Council of the Nation. But, on the other hand, I felt, and feel, that, in view of the populousness of the district mainly inhabited by Uitlanders, contrasted with the scanty white population of most of the Boer districts, the demand for an *exactly equal proportion* of members in the two classes of constituencies would not be justified, at any rate at first, as the old population could not be expected to face with equanimity the prospect of being at once outnumbered' (C. 9521, p. 61).

The conditions of a real settlement from the British point of view were, then, an appreciable and immediate measure of enfranchisement, free from restrictive and vexatious limitations, and accompanied by an appreciable measure of redistribution.

Such, then, was the British game at the Bloemfontein round table. What was President Kruger's? It was, I think we may fairly conclude, to defeat the British game. Mr. Kruger's object at the Conference and in the subsequent negotiations seems to me to have been this: First, to draw out Sir Alfred Milner to make some proposals, and then on his side to suggest a 'compromise' thereon; secondly, to rush the British Government into accepting some plausible scheme which, though it might seem liberal at first sight, would in reality have left the stronghold of the Krugerite system untouched; and thirdly, in return for such a scheme, to obtain a *quid pro quo* by tying the hands of the British Government for the future, or by securing an abandonment of their claims to 'suzerainty.'[1] How far this is a correct

[1] A South African authority, already quoted (p. 22), says: 'The direct demand for a renunciation of the suzerainty was the President's trump

account of President Kruger's aims, I must leave the reader to decide from a consideration of the previous negotiations detailed in the last chapter, and from the account of those that are to follow. That it is not an unduly uncharitable account, that Lord Milner on his side was well justified in exercising the most vigilant caution, is shown, I think, by the views which, as we now know, were entertained in quarters the best disposed on general grounds to Mr. Kruger. I refer in this connection to the letters from Sir Henry de Villiers and others published in August, 1900 (Cd. 369). The circumstances of the publication have been the subject of severe, and in some cases well-deserved, criticism. The letters themselves are of the utmost importance and interest. On the eve of the Bloemfontein Conference Sir Henry de Villiers wrote to President Steyn, congratulating him on having arranged the meeting, but expressing at the same time grave forebodings:

'I sometimes despair of peace in South Africa,' he wrote, 'when I see how irritating and unjust the press is on the one side, and how stubborn the Transvaal Government is on the other. On my recent visit to Pretoria I did not visit the President, as I considered it hopeless to think of making any impression on him, but I saw Reitz, Smuts, and Schalk Burger, who, I thought, would be amenable to argument, but I fear that either my advice had no effect on them, or else their opinion had no weight with the President. . . . The franchise proposal made by the President seems to be simply ridiculous. . . . If the five years' term were offered by the Transvaal, with a retrospective operation, the Uitlanders would be bound to take it, subject to the restrictions. I fear there would always be a danger of the Volksraad revoking the gift before it has come into operation. . . . I have always been a well-wisher to the Republic, and if I had any influence with the President, I would advise him no longer to sit on the boiler to prevent it from bursting. Some safety-valves are required for the activities of the new population. In their irritation they abuse the Government, often unjustly, in the press, and send petitions to the Queen, but that was only to be expected. Let the Transvaal Legislature give them a liberal franchise, and allow them local self-government for their towns, and some portion of the discontent will be allayed. . . . My sole object in

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card; for years he had looked forward to playing it. When he had played it and lost, there was no course open to him but surrender or war' (*Quarterly Review*, January, 1900).

writing is to preserve the peace of South Africa. There are, of course, many unreasonable demands; but the President's position will be strengthened, and, at all events, his conscience will be clear, in case of war, if he had done everything that can be reasonably expected from him. I feel sure that, having used your influence to bring him and Sir Alfred together, you will also do your best to make your efforts in favour of peace successful. I feel sure also that Sir Alfred is anxious to make his mission a success, but there can be no success unless the arrangement arrived at is a permanent one, and not merely to tide over immediate difficulties' (Cd. 369, pp. 1, 2).

The measure of Sir Henry de Villiers' fears is the measure of the caution and close scrutiny with which the British Government were bound to examine any proposals put forward by Mr. Kruger. The cynical advice given by other and less scrupulous friends of the Republics confirms my point. 'I most strongly urge you,' wrote Mr. Merriman to Mr. Fischer (May 26, 1899), 'to use your utmost influence to bear on President Kruger to concede some colourable measure of reform, not so much in the interests of outsiders as in those of his own State.' The interest of the British Government was not to be put off with a *colourable* measure of reform, but to secure a real measure of reform that would wash and wear. 'We must now,' wrote Mr. Te Water to President Steyn, 'play to win time. Governments are not perpetual' (May 8, 1899). 'It is honestly now the time,' he writes again, 'to yield a little, however one may later again tighten the rope' (May 27). It was the time, therefore, for the British negotiators to secure guarantees that the rope should not be tightened again. It will be seen, then, that the theory of Mr. Kruger's game given by me above is not unreasonably suspicious. The attitude it assumes was what Sir Henry de Villiers feared and Mr. Te Water advised.

The attitude was soon revealed when the Conference met. The proceedings of the Conference have been fully published, and are easily accessible in 'Correspondence relating to the Bloemfontein Conference,' 1899, C. 9404. They need not, therefore, be detailed here; a summary of the essential points will suffice. Lord Milner began by explaining the standpoint from which he entered the Conference:

'I said that the number of open questions between the two Governments was increasing as time went on, and the tone of the controversy was becoming more acute. It was a deplorable situation. In my personal opinion, the cause of many points of difference, and the most serious, was the policy pursued by the South African Republic towards the Uitlanders, among whom many thousands are British subjects. The bitter feelings thus engendered in the Republic, the tension in South Africa, and the sympathy throughout the Empire with the Uitlanders, led to an irritated state of opinion on both sides, which rendered it more difficult for the two Governments to settle differences amicably. It was my strong conviction that if the South African Republic would, before things got worse, voluntarily change its policy towards the Uitlanders, and take steps calculated to satisfy the reasonable section of them, who after all are the great majority, not only would the independence of the Republic be strengthened, but there would be such a better state of feeling all round that it would become far easier to settle outstanding questions between the two Governments' (p. 1).

After long discussion, President Kruger asked the High Commissioner to propose a scheme. The heads of his scheme were these:

'The full franchise to be given to every foreigner who—

'(*a*) Had been resident for five years in the Republic.

'(*b*) Declared his intention to reside permanently.

'(*c*) Took an oath to obey the laws, undertake all obligations of citizenship, and defend the independence of the country.

'(*d*) Was a person of good character, and possessed a certain amount of property or income.

'A certain number of new constituencies to be created.'

The vital points here were (1) the simplification of the oath, and (2) the immediate admission to full burghership on taking it.

President Kruger at once objected strongly to a scheme on these lines. At a subsequent meeting he produced a scheme of his own. It was complicated and difficult, but its main points may be thus summarized:

'Newcomers to be naturalized after two (or two and a half[1]) years' residence, and five years thereafter to receive the franchise, subject to the following conditions:

'1. To register themselves fourteen days after arrival.

[1] This point was involved in some obscurity owing to Condition 2. It is immaterial now, and we will assume that the whole period of probation was meant to be only seven years.

'2. To give six months' notice of intention to apply for naturalization.
'3. Seven years' continuous registration.
'4. Residence in the Republic during that period.
'5. No dishonouring sentence.
'6. Proof of obedience to the laws.
'7. Proof of franchise or title thereto in former country.
'8. Possession of £150 property, or rental of £50, or yearly income of £200.

'The oath to be similar to that of the Orange Free State.

'The scheme to be so far retrospective as that persons resident in the Republic before 1890 should obtain the vote in two or two and a half years, and those resident for two years or more to obtain the vote in five years.

'As originally put in, Mr. Kruger's scheme included no redistribution. He afterwards proposed to increase the members for the Goldfields from two to five.'

This scheme was, as Lord Milner admitted, an improvement on the law then existing. It reduced the term from fourteen years to seven. It was in some measure retrospective. It substituted the Orange Free State oath. Some persons in this country, concentrating their attention on the first point—the reduction from fourteen years to seven—and comparing the scheme with Lord Milner's from that one point of view, rushed to the conclusion that 'only a difference of two years' divided the proposals. 'We cannot, and must not, quarrel,' it was said, 'over the difference between five years and seven as the period of probation for the franchise.' This statement often reappeared during the subsequent negotiations. It was wholly fallacious, as was pointed out at the time.[1] The difference between seven years and five was not the whole difference between the two sets of proposals, nor was it the essential difference. It is only a very careless reading of the despatches that could suggest any such misconception. The argument, moreover, as I have already pointed out, cuts two ways. If there was no more difference than is stated, why was President Kruger so keen upon making it? Why did he argue that Lord Milner's scheme 'was tantamount to handing over the country to foreigners,' whereas his own was—something

[1] In the *Daily News* of June 12, and many subsequent occasions. In C. 9345, p. 242, Lord Milner is represented as proposing a six years' term. This was a mistake in cabling. (See C. 9404, p. 60.)

entirely different. The answer is, that the President's proposals *were* entirely different. The essence of Lord Milner's scheme was to provide a present solution of a present and a pressing danger. The essence of President Kruger's was to leave things for the present as they were. 'His Excellency's aim,' said Lord Milner's report, 'was to obtain some measure of representation, however small, for the Uitlanders immediately, as the First Volksraad had already been too long out of touch with the new population, and every year increased the tension and the danger.' That was the essence of the British case. The way to avert revolution is to grant reasonable reform; the remedy for present discontents is immediate removal of grievances. President Kruger's proposals did not recognise these elementary Liberal principles. Under his plan, as Lord Milner pointed out—

No man not already naturalized, even if he had been in the country for thirteen or fourteen years, would get a vote for the First Volksraad in less than two and a half years from the passing of the new law;

No considerable number of old residents would obtain the vote in less than five years, even if they got naturalized; and

The majority would not naturalize, because the President's scheme retained the unfortunate principle, first introduced in 1890, by which a man must abandon his old citizenship for a number of years before getting full rights under his new citizenship.

Further, the measure of redistribution was very small. A large majority of the inhabitants, contributing nearly the whole revenue, would be represented by five members (or seven ultimately, for in two other constituencies they would in time become the majority) out of thirty-one.

Lastly, even if a considerable number of Uitlanders accepted the conditions of naturalization, they would find themselves hindered by a long series of barbed-wire impediments. We shall have to discuss a fresh series later on, and it is not worth while to go in detail into the present lot. Anyone who carefully considers the list given above (1 to 8) will see how many spikes they present to the candidate for

the franchise. Mr. Wessels, the leader of the Pretoria Bar, denounced them as ridiculous, and it was calculated that if similar provisions were in force in Cape Colony not one man in fifty now on the register would ever get there.[1]

It is idle, in the face of facts such as these, to talk of the differences between Lord Milner and Mr. Kruger at Bloemfontein as 'a mere difference of two years.' The actual differences made all the difference between a real settlement and a sham. Which, perhaps, is the reason why Mr. Kruger refused to budge from his position and the Conference broke up.[2]

[1] Mr. Wessels' examination of Mr. Kruger's Bloemfontein proposals is No. 22 in C. 9415.

[2] The only other important point in the proceedings was Mr. Kruger's attempt to strike a bargain about arbitration. This matter is referred to in chap. xxvii.

## CHAPTER XV

### THE SEVEN YEARS' FRANCHISE LAW

After Bloemfontein—'A new situation'—An apparent deadlock—Public opinion on the two sides—'Spenlow and Jorkins' in the Transvaal—Mr. Hofmeyr's mission to Pretoria—A Seven Years' Franchise Law introduced—Mr. Kruger declines to confer with the British Government—The law passed—Obscurities and impediments in it—The British Government 'hopes to find a basis of settlement'—British despatch of July 27—Joint inquiry proposed.

THE failure of the Bloemfontein Conference caused great excitement in South Africa and anxious concern in this country. Everyone felt that a critical stage in the relations between Great Britain and the Transvaal had been reached. 'A new situation,' said Mr. Chamberlain in the House of Commons (June 8) had been created, and in this spirit he instructed the High Commissioner to present forthwith the despatch of May 10 endorsing the Uitlander petition, which had been kept back in view of the Conference. This despatch and Lord Milner's about the 'helots' were soon afterwards published. The British Government thus committed themselves to the Uitlanders and before the world to secure redress for the subjects of the Queen in the Transvaal. As Lord Selborne put it, in a phrase repeated and endorsed by the Prime Minister, they had 'put their hands to the plough and would not turn back' (House of Lords, July 28). President Kruger, on his side, was equally determined, and, as we now know, a good deal better prepared. 'In these troublous times,' he told the Raad (June 14), 'he did not know what was going to happen. The other side had not conceded one tittle, and he could not give more. God

always stood by them. He did not want war, but he would not give way any more.'

In this apparent deadlock public opinion on both sides began to organize itself. The High Commissioner, in reply to an influential deputation at Cape Town, explained and justified his policy (June 12). 'I am absolutely convinced,' he said, 'that the grievances of the Uitlanders, though sometimes stated in exaggerated language,[1] are very real.' Their redress was necessary for the protection of British interests, for the security of the Transvaal State itself, and for the peaceful development of South Africa generally. 'The South African Republic,' said the High Commissioner, 'is the one State where inequality is the rule which keeps the rest in fever.' To these three reasons Lord Milner added another, which is very important. As High Commissioner, he had to bear in mind the position of Great Britain in South Africa as a whole. 'Is it consistent,' he asks, 'with the position of Great Britain in regard to this country—nay, is it consistent with the dignity of the white race—that a large, wealthy, industrious and intelligent community of white men should continue in that state of subjection which is the lot of the immigrant white population in the Trans-

[1] For instance, Mr. Stead, writing in the *Review of Reviews* for March, 1896, had described President Kruger as the 'Sultan at Pretoria, who is not less convinced of his right divine to rule in defiance of all the principles recognised in the modern world than the Sultan himself. Paul Kruger, like the Sultan, is master of the situation, for he believes in himself and the trusted minority who do not hesitate to shoot, and who, moreover, can shoot straight. Kruger, like Abdul Hamid, has a population differing in race, in religion, in language, under his feet. He has disarmed them as thoroughly as the Turk disarms the Armenian villagers. He denies them the elementary rights of free citizens in a free country. He laughs at their petitions, and shrugs his shoulders at their protests.' To compare President Kruger to Abdul Hamid was the language of exaggeration. I suppose it was on the principle of making the balance even that he afterwards transferred his Turkish analogy to the other side, and declared that there is 'no room for doubt that in this campaign we are not waging honourable warfare, but are trampling underfoot the elementary rules of civilized war, and are doing deeds of rapine and of outrage which recall the Huns of Attila and the Bashi Bazouks of Abdul the Damned' ('Hell Let Loose!' p. 1).

vaal ?' What, then, was the best method of redress ? 'My view,' he said, 'was, and is, that the best way to help those people—the best for them, the best for the Republic, the best for good relations between the Republic and the Imperial Government—is to put them in a position to help themselves.' His formula, therefore, was franchise first. To obtain real and immediate redress in this sort the High Commissioner was prepared to waive all consideration of other grievances. But as he was relying on a single remedy, it was essential that the remedy should be a radical one :

> 'It was useless—indeed, worse than useless: it would only have led to worse trouble later on—to have accepted a scheme so framed, I do not say so designed, as not to bring people in, but to keep them out ; a scheme hedged with restrictions of the most elaborate kind, hampered with conditions which I knew numbers of people would never accept, and which one could not reasonably urge them to accept. If this Reform Bill was not going to bring a considerable number of Uitlanders into the State—if an enormous majority, including all the leaders, were still to remain outside—how was it possible to feel any confidence in such a solution or accept it as a comprehensive settlement ?'

To have accepted a sham settlement would only have been to lay up an added store of trouble for the future. 'I cannot but feel,' said the High Commissioner in his despatch (of June 14 No. 1, in C. 9404, § 81), 'that if the President's plan had been accepted, the discovery of its unworkableness in practice hereafter would have led to even greater discontent, to even more bitter and strained feelings between the Government of the South African Republic and its Uitlander population, than those which unfortunately exist at present.' His attempt to secure a real settlement had for the moment failed. What, then, remained ? His object in going into the Conference was to avert 'an irritating controversy' between the two Governments on the grievances of the Uitlanders in detail. 'That controversy,' he said, 'may yet have to come.' That would be what he called 'Policy No. 2' (C. 9404, p. 13). The desired result was 'fair play for the Uitlanders.' If this could not be obtained by the franchise, it must be sought in detail. The policy of the Imperial Government was not one of provocation. 'I

know better than any man,' said the High Commissioner in a passage between the lines of which one may read what one will, 'that their policy is far from being aggressive. It has been one of singular patience, and such, I doubt not, it will continue, but it cannot relapse into indifference.' The best hope was that the proposals made by President Kruger at Bloemfontein were not his last words. The High Commissioner still adhered, therefore, to 'Policy No. 1.' Nothing, he added, would contribute so much to 'peaceful victory' as the knowledge that the demand for some little measure of justice to British subjects in the Transvaal had behind it 'the unanimous sympathy of the British people throughout the world.'

The High Commissioner's speech, the tone of which was generally commended at the time, had considerable effect in bringing about the state of opinion he thus desired. For one thing, it rallied to his side Mr. J. Rose-Innes, of all the Cape politicians perhaps the one most generally respected for his moderation and reasonableness.

'I think,' said Mr. Rose-Innes, 'President Kruger's franchise proposals inadequate, in that they afford no present relief to the present danger, and are too complicated. The franchise agreement having failed, the whole question of the position of the Uitlanders and the observance of the Convention will be dealt with by the English Cabinet. There is no reason to fear that the position they take up will be either unwarrantable or unreasonable; especially after the clear statement of the High Commissioner on Monday. The whole matter will then depend on whether President Kruger is prepared to make concessions and meet the English proposals in a reasonable and open spirit. On him more than any other single person depends the grave issue of the future' (statement in the *Cape Times*, reproduced in the *Daily News*, July 4, 1899).

These views were widely shared by the British people in South Africa. At public meetings and by deputations approval of the High Commissioner's attitude at the Conference was expressed. The Cape Ministers preached caution and moderation.

Meanwhile, the more moderate Afrikander opinion was endeavouring to bring pressure to bear upon President Kruger. At first the endeavour seemed to meet with little success. 'Mr. Spenlow-Kruger had a Jorkins in his un-

yielding burghers. His heart would have been open, it was represented, to soft influences but for a restraining demon found in the Raad or among the burghers. Several meetings, however, which were held in the Republic at this time go some way to class the Transvaal Mr. Jorkins with Mrs. Harris, with regard to whom there is good authority for believing that 'there's no sich a person.'[1] At last Mr. Kruger gave way, or seemed to do so. At first the situation had looked quite hopeless. The President had introduced into the Raad his Bloemfontein proposals. Everybody knew them to be absurd and inadequate, and the question of redistribution was, moreover, to be deferred. All this was seen to be desperate. There was not even anything 'colourable' about it, to use Mr. Merriman's word. Mr. Fischer of the Free State went to Pretoria, and so later on did Mr. Hofmeyr. Nobody outside this little circle knew what was going on, and some of them did not know all (for even Mr. Hofmeyr, as we shall see, was disappointed, if not deceived). Gradually, however, there emerged several pieces of information which seemed cumulatively to be very encouraging. First, a seven years' term was substituted for the original nine. Then Mr. Hofmeyr came back, and was reported as saying that Mr. Kruger was going to concede Lord Milner's terms except for the one difference of seven years instead of five. Mr. Schreiner[2] felt 'at liberty to say

[1] See *Daily News*, June 21, 1899, for a collection of reports of such meetings. See also on this subject Lord Milner's despatch, No. 26, in C. 9518.

[2] Mr. Schreiner himself had suggested a franchise which would allow 'birth anywhere in a certain latitude to count as if it had been birth in the South African Republic.' In his evidence before the South Africa Committee he said: 'If you go to Pretoria, Johannesburg, and everywhere, you will find what I call our men—that is, Cape Colonists—the men from the South. There are an enormous number of them, and they are all devoted to South Africa in a good sense—in a sense that everybody would be glad to have. Supposing they were to say that birth, say, south of the Zambesi anywhere, should be regarded by the law of the State as equivalent to birth within the borders of the State for the purposes of the franchise, that would bring in an enormous number of persons who now have a grievance and do away with that grievance. . . . I do not wish to say that that completes it; but I should like to see very

that the Cape Government regards the Reform proposals of the Transvaal Government as adequate and satisfactory, and such as should secure a peaceful settlement' (July 8). These assurances were taken to mean that Mr. Hofmeyr and his allies had prevailed on Mr. Kruger to remove all barbed-wire impediments, and that now at last it really was a case of 'a mere difference of two years.' Lastly, it was ascertained that some additional representation was to be given to the Rand simultaneously with the Reform Bill.

All this seemed hopeful, and compromise was in the air. But there was one ominous symptom. The precise nature of the Transvaal Government's scheme was not known to the British authorities, and Mr. Kruger was in no mood to enlighten them. On July 11 Mr. Chamberlain sent the following message to the High Commissioner for transmission to the Transvaal Government:

'If they desire that their proposals shall form any element in settlement of differences between the two Governments, Her Majesty's Government request that full particulars of the new scheme may be furnished to them officially, and hope that, until they have had an opportunity of considering it and communicating their views, Transvaal Government will not proceed further with it' (C. 9415, p. 43).

Mr. Chamberlain's request was not complied with. 'The whole matter,' said Mr. Reitz, 'is out of the hands of the Government, and it is therefore no longer possible for this Government to farther satisfy the request of the Secretary of State' (July 13, C. 9518, p. 40). In response to a further request, Mr. Reitz replied: 'The matter was already in the hands of the First Volksraad, which body has now fixed the law and finally passed it' (July 22, *ibid.*, p. 58). In this connection, it should be stated that Lord Milner had already in June urged on Mr. Fischer the importance of inducing President Kruger to consult with him (Lord Milner)

much indeed a short-time residence and a fairly good property qualification for those who may be out, so as to solve the question of domicile in a practical way. When a man is born in the country, he is fairly well established there. If he is not born in the country, you might have then a few years of genuine residence and the acquisition of certain property.' He added that five years should be the maximum (Proceedings Select Committee on British South Africa, pp. 187, 188).

before definitely committing himself to a new scheme (C. 9415, p. 13). It should be remembered, further, that the changes in the new scheme had been so kaleidoscopic, as the High Commissioner remarked (C. 9518, No. 26), that neither he nor the Home Government was able correctly to appreciate the exact position at any given moment.

The British Government were, however, bent upon accepting a compromise, if it could honourably be found. Undeterred, therefore, by Mr. Reitz's refusal of July 13, Mr. Chamberlain, on July 20, made the following statement in the House of Commons:

'This important change in the proposals of President Kruger, coupled with previous amendments, lead the Government to hope that the new law may prove to be a basis of settlement on the lines laid down by Sir A. Milner at the Bloemfontein Conference. They observe, however, that the Volksraad have still retained a number of conditions which might be so interpreted as to preclude those otherwise qualified from acquiring the franchise, and might therefore be used to take away with one hand what has been given with the other. The provision that the alien desirous of burghership shall produce a certificate of continuous registration during the period required for naturalization is an instance of this, for it has been stated that the Law of Registration has been allowed to fall into desuetude, and that but few aliens, however long resident in the country, have been continuously registered. It would be easy by subsequent legislation to alter the whole character of the concessions now made, but Her Majesty's Government feel assured that the President, having accepted the principle for which they have contended, will be prepared to reconsider any detail of his schemes which can be shown to be a possible hindrance to the full accomplishment of the objects in view, and that he will not allow them to be nullified or reduced in value by any subsequent alterations of the law or acts of administration.'

At this time, of course, the Government had not seen the new law, which, indeed, was not passed till three days later. They were proceeding on general information with regard to its contents. On the strength of that information they hoped to find in the Bill 'a basis of settlement,' and publicly announced their intention to that effect. This, it must be admitted, was strong proof of their desire to follow a conciliatory course.

The law was passed on July 23. It was promulgated, together with an explanatory memorandum by the State

Secretary, on July 27. These documents did not reach the Colonial Office till August 11. The Government, meanwhile, acted on the assumption that they would find in the law an honest Seven Years' Franchise Act for the general body of the Uitlanders. But there were many points which, in the absence of the full text, were obscure. There were others which, on the information already available, seemed likely to whittle down the assumed object of the law. And generally, the effect even of an honest and plain-sailing seven years' franchise on the general body of the Uitlanders was still very imperfectly ascertained. The hope of the Government was to find the law so satisfactory in other respects, or the Transvaal Government so ready to amend it, that they would be able to accept a compromise on the question of the five or seven years' term. This is obvious from Mr. Chamberlain's remark to Lord Milner, that the law appeared to leave 'only a difference of two years between yourself and President Kruger so far as the franchise is concerned' (C. 9518, p. 10). But the franchise-term could not be isolated from the other parts of the scheme. It is necessary to be clear on this point. The essential thing was, that the Uitlanders should get some appreciable representation, and should get it at once. The points necessary in order to secure this end were: (1) that the term, whatever it be, should be retrospective; (2) that this term should not be hampered by other restrictions calculated to prolong it or postpone it altogether; (3) that there should be some measure of redistribution; and (4) that the term itself should not be very long. Now, it is obvious that the denial of any one of these four points would be fatal to the rest. It would be no good to let a large number of Uitlanders have votes, if the representation of the goldfields were still confined to two seats. So, again, even a five years' term would be no good, if no past residence were allowed to count. But, on the other hand, if the first three points were properly guaranteed, then the term might be somewhat longer than Lord Ripon and Lord Milner and Mr. Schreiner had proposed, without taking all virtue out of the concessions as a whole. Full information would, then, in any

case have been necessary. It was more than ever necessary, because the law as passed was admittedly full of obscurity. On this point let Sir Henry de Villiers speak. Writing to Mr. Fischer on July 31, he said: 'The Franchise Bill is so obscure that the State Attorney had to issue an explanatory memorandum to remove the obscurities. But surely a law should be clear enough to speak for itself, and no Government or court of law will be bound by the State Attorney's explanations. I do not know what these explanations are, but the very fact that they were required condemns the Bill. That Bill certainly does not seem quite to carry out the promises made to you, Mr. Hofmeyr and Mr. Herholdt' (Cd. 369, p. 3).

Inquiry into the new law was, then, essential, if the two Governments were to arrive at a friendly settlement. Inquiry in that spirit was what the British Government proposed in its despatch of July 27, 1899. As this is one of the crucial documents in the whole case, I quote the substantive portion verbatim:

'Her Majesty's Government feel assured that the President, having accepted the principle for which they have contended, will be prepared to reconsider any detail of his scheme which can be shown to be a possible hindrance to the full accomplishment of the object in view. They trust, therefore, that many of the conditions now retained may be revised, and that the residential qualification may be further reduced, since, in its present form, it will differentiate unfavourably the conditions of naturalization in the Transvaal from those existing in any other civilized country.

'Her Majesty's Government assume that the concessions now made to the Uitlanders are intended in good faith to secure to them some approach to the equality which was promised in 1881; but the points they have still to urge for the consideration of the Government of the South African Republic are of great importance, and require a further interchange of views between the two Governments. These points involve complicated details and questions of a technical nature, and Her Majesty's Government are inclined to think that the most convenient way of dealing with them would be that they should in the first instance be discussed by delegates appointed by you and by the Government of the South African Republic, who should report the result of their consultation, and submit their recommendations to you and to that Government.

'If a satisfactory agreement on these points can be reached in this way and placed on record, Her Majesty's Government are of opinion

that it should be accepted by the Uitlanders, who in this case will be entitled to expect that it will not be nullified or reduced in value by any subsequent alterations of the law or acts of administration.

'The settlement of this most important subject will greatly facilitate an understanding in other matters which have been the source of continuous and ever-increasing correspondence between your predecessors and yourself and Her Majesty's Government. There have been, during the last few years, a number of instances in which Her Majesty's Government contend that the Conventions between this country and the South African Republic have been broken by the latter in the letter as well as in the spirit. There are other cases, again, in which there may have been no actual infraction of the letter of the Conventions, but in which injury has been inflicted on British subjects, for which redress is required on their behalf.

'With a view to the settlement of some, at least, of these questions, the Government of the South African Republic has met the representations of Her Majesty's Government with an offer to submit them to the arbitration of some Foreign Power. In view of the relations established by the Conventions of Pretoria and London, Her Majesty's Government have felt themselves compelled to declare emphatically that under no circumstances whatever will they admit the intervention of any Foreign Power in regard to their interpretation of the Conventions.

'Her Majesty's Government note, however, with satisfaction, that in the course of the discussion at Bloemfontein, President Kruger withdrew the proposal for the intervention of a Foreign Power. In the Memorandum put in by him at the afternoon meeting of June 5 (C. 9404, p. 59), he spoke of his request for arbitration by other than Foreign Powers, and the Government of the South African Republic, in a communication addressed to the British Agent on June 9, to which I have already referred, has modified its former proposal as to the formation of a tribunal of arbitration, so as to substitute for a Foreign Power a foreigner as President, and, therefore, as supreme arbiter, in a Court to be otherwise composed of two members nominated respectively by Her Majesty's Government and by the Government of the South African Republic. This proposal, although in a different form to those previously made, is equally objectionable, inasmuch as it involves the admission of a foreign element in the settlement of controversies between Her Majesty's Government and the Government of the South African Republic; and for this reason it is impossible for Her Majesty's Government to accept it.

'Her Majesty's Government recognise, however, that the interpretation of the Conventions in matters of detail is not free from difficulty. While on the one hand there can be no question of the interpretation of the preamble of the Convention of 1881, which governs the Articles substituted in the Convention of 1884, on the other hand there may be fair differences of opinion as to the interpretation of the details of those

Articles, and it is unsatisfactory that in cases of divergence of opinion between Her Majesty's Government and the Government of the South African Republic there should be no authority to which to refer the points at issue for final decision.

'If, therefore, the President is prepared to agree to the exclusion of any foreign element in the settlement of such disputes, Her Majesty's Government would be willing to consider how far and by what methods such questions of interpretation as have been above alluded to could be decided by some judicial authority, whose independence, impartiality, and capacity would be beyond and above all suspicion.

'After the discussion by delegates, as already proposed, of the details and the technical matters involved in the points which Her Majesty's Government desire to urge for the consideration of the Government of the South African Republic in relation to the political representation of the Uitlanders, it may be desirable that you should endeavour to come to an agreement with President Kruger as to the action to be taken upon their reports by means of another personal Conference' (C. 9518, p. 11).

This despatch, which was sent by the post, was not presented to the Transvaal Government until August 23. Its substantive proposals were, however, immediately submitted to Mr. Kruger. The following was Lord Milner's telegram, dated August 1:

'Her Majesty's Government authorize me to invite President South African Republic to appoint delegates to discuss with delegates to be appointed by me on behalf of Her Majesty's Government, whether Uitlander population will be given immediate and substantial representation by franchise law recently passed by Volksraad, together with other measures connected with it, such as increase of seats; and, if not, what additions and alterations may be necessary to secure that result. In this discussion it should be understood that the delegates of Her Majesty's Government would be free to make any suggestions calculated to improve measures in question and secure their attaining the end desired. Personally, I wish to add the expression of the earnest hope that Government South African Republic may accept this proposal, and that we may proceed to discuss the composition of the proposed Commission, method of procedure, place of meeting, at once. Government of South African Republic will, I feel sure, agree with me that, if proposal of Her Majesty's Government is accepted, the inquiry should be held as soon as possible' (C. 9518, p. 30).

This telegram was supplemented by another embodying the following instructions from Mr. Chamberlain:

'We must confine proposed joint inquiry to question of political representation of Uitlanders. You should, however, let President Kruger

know through Greene that you will be ready, after conclusion of inquiry, to discuss with him, not only the report of the inquiry and the franchise question, but other matters as well, including arbitration without introduction of foreign element' (*ib.*, p. 29).

It will be seen from these despatches that the British Government proposed a friendly settlement on the following lines :

1. Settlement of the Uitlanders' grievances on the basis of joint inquiry into an honest seven years' franchise scheme.

2. Establishment of a Court of Arbitration (foreign element excluded) for the settlement of disputes arising over alleged breaches of the Convention.

3. Friendly Conference on remaining subjects in dispute.

It was a reasonable and conciliatory offer which seemed to raise hopes of peace. How those hopes were disappointed and by whom we shall presently see.

# CHAPTER XVI

## THE QUESTION OF 'SUZERAINTY'

The word 'suzerainty' in the Convention of 1881—The word omitted, but the substance retained, in the Convention of 1884—Lord Derby's statements—The 'suzerainty' discussion started by Mr. Kruger in 1896, and involved (*a*) in his breaches of the Convention of 1884, (*b*) in his claim for foreign arbitration—Mr. Chamberlain's despatch of October 16, 1897—The word 'suzerainty' introduced, and the preamble of 1881 claimed as still valid—Legal views on this latter question—Transvaal argument to the contrary—Lord Milner on the unimportance of the point—Transvaal reiterates demand for foreign arbitration and puts forward its claim to be a Sovereign International State—Substantial importance of this claim—Controversy merged in the general negotiations.

THE question of the franchise, which has occupied us during the last few chapters, now becomes involved with that of 'suzerainty.' Controversy around this word has been long and intricate. The essential rights and wrongs of the matter are, however, neither obscure nor difficult.

In the Convention of 1881 both the substance of 'suzerainty' and the word were reserved. Here is the preamble of that document:

'Her Majesty's Commissioners for the settlement of the Transvaal territory, duly appointed as such by a Commission passed under the Royal Sign Manual and Signet, bearing date the 5th of April, 1881, do hereby undertake and guarantee, on behalf of Her Majesty, that from and after the 8th day of August, 1881, complete self-government, subject to the suzerainty of Her Majesty, her heirs and successors, will be accorded to the inhabitants of the Transvaal territory upon the following terms and conditions, and subject to the following reservations and limitations.'

The Transvaal Deputation of 1883 endeavoured to get the

suzerainty asserted by the Convention of 1881 abolished, and the complete independence of their country recognised. This the Imperial Government declined. The Transvaal reluctantly acquiesced in Article 4 of the Convention of 1884, by which Great Britain expressly reserved a certain control over the foreign relations of the Transvaal. The admission of such control obviously stamped the Transvaal as being something less than a Sovereign State. This argument is independent, it will be observed, of the contention (to which we shall presently recur), often made on the British side, that the preamble of the Convention of 1881 (which expressly asserted 'suzerainty') was still good, the Convention of 1884 having only changed 'the articles.' This point is superfluous, for in the text of the Convention of 1884, as it stands, the substance of suzerainty is implied, whether the word be the correct one to use or not. This is precisely the position taken up by Lord Derby, the Colonial Secretary of the time, in explaining the Convention of 1884 to Parliament. Speaking in the House of Lords on March 17, 1884, he used the following words:

'The word "suzerainty" is a very vague word, and I do not think it is capable of any precise legal definition. Whatever we may understand by it, I think it is not very easy to define. But I apprehend, whether you call it a Protectorate, or a Suzerainty, or the recognition of England as a paramount Power, the fact is that a certain controlling power is retained when the State which exercises this suzerainty has a right to veto any negotiation into which the dependent State may enter with Foreign Powers. Whatever suzerainty meant in the Convention of Pretoria (1881), the condition of things which it implied still remains; although the word is not actually employed, we have kept the substance. We have abstained from using the word because it was not capable of legal definition, and because it seemed to be a word which was likely to lead to misconception and misunderstanding.'[1]

[1] A somewhat different *expositio contemporanea* was produced by the Transvaal Government in a Green-Book, and the point was endorsed by Sir William Harcourt in his speech of September 20, 1899. Lord Derby with his own hand had struck out the word 'suzerainty.' In a letter to the *Times* of September 27, 1899, Sir William Harcourt said: 'All further argument (on the question of suzerainty) is now superfluous, as the matter is decisively disposed of by the publication at Pretoria of the

What good object Mr. Chamberlain supposed he was serving by insisting so much upon the word (as well as upon the substance) I was never able to understand. The immediate object of the Transvaal in arguing against the word was to make out a case for foreign arbitration between her and Great Britain upon questions arising under the Convention. But here again the plain facts of the case were dead against Mr. Kruger. During the negotiations which preceded the Convention of 1884, the Transvaal delegates submitted a foreign arbitration clause. Lord Derby, on behalf of Mr. Gladstone's Government, refused to entertain it either in form or in substance. The Transvaal Government could no doubt claim some authority for their contention in speeches made by the Tory Opposition in 1884. Lord Cadogan, for instance, a member, as it happens, of the present Government, criticised the Convention in the House of Lords on the ground that 'the suzerainty of the Queen was practically abolished.' I believe that he was mistaken; his chief concern no doubt was to belabour Lord Derby; the 'outs' are apt to find any stick do to beat the 'ins' with. In matters of foreign and colonial policy, it is a great pity that politicians, in their eagerness to prove their opponents

official communication made by the Secretary of State for the Colonies to the Transvaal Government on February 27, 1884, immediately upon the signing of the Convention. Lord Derby states the effect of that Convention in the following words: "There will be the same complete independence in the Transvaal as in the Orange Free State. The conduct and control of diplomatic intercourse with foreign Governments is conceded. The Queen's final approval of treaties is reserved. The delegates appear well satisfied, and a cordial feeling exists between the two Governments." The case therefore is clear beyond dispute.' But one very important word was omitted from this version, namely, the word 'internal' before 'independence.' The actual words employed by Lord Derby will be found at p. 10 of a Blue-Book issued in 1884 (C. 4035). The despatch is addressed to Sir L. Smyth, the Acting High Commissioner. It would be interesting to know how the word 'internal' came to be omitted. Lord Derby, like other weak men, thought all bother would be removed by a compromise which could be made to wear one aspect in the Transvaal and another in the British House of Commons.

in the wrong, should not pause to consider whether they are not 'giving away' their country.

I have said here, as I did during the discussions at the time, that Mr. Chamberlain's insistence upon the *word* 'suzerainty' was superfluous. It is, however, necessary to add that he did not begin. It has often been said that Mr. Chamberlain unnecessarily extended and embittered the controversy with the Transvaal by bringing down the British 'suzerainty' from the clouds. This is a complete mistake. The *word* 'suzerainty' was of little importance. The substance behind it was of the greatest importance. The substantial controversy was started, not by Mr. Chamberlain, but by Mr. Kruger. When thus challenged, the British Government were bound to defend the British position. Here, as at other points in the negotiations, the British case was right in substance, but the Government did not present it in the clearest or most tactful way.

It was Mr. Kruger who started the 'suzerainty' discussion in terms. It was Mr. Kruger's policy which raised the subject in substance. It was not immaterial, but vital. It belonged, not to the fringe, but to the essence of the conflict between Great Britain and the Transvaal in South Africa. It was no mere 'cussedness' on Mr. Kruger's part which caused him to raise the question, any more than it was mere pedantry on Mr. Chamberlain's part which caused him to rebut the Transvaal's argument. It was essential to Great Britain to maintain unimpaired what Lord Derby called the 'protectorate, or suzerainty, or recognition of England as paramount Power.' It was of the essence of Mr. Kruger's policy, I think we must conclude, to challenge that position, and to assert the entire independence of the Transvaal as a Sovereign International State.

It was Mr. Kruger, then, who first raised the subject in terms. This was done in the despatch explaining the condition on which he would come to London (February 25, 1896):

> **The superseding of the Convention of London with the eye, amongst others, on the violation of the territory of the South African Republic: because in several respects it has already virtually ceased to exist;**

**because in other respects it has no more cause for existence; because it is injurious to the dignity of an independent Republic; because the very name, and the continual arguments on the question of suzerainty, which, since the conclusion of this Convention, no longer exists, are used as a pretext, especially by a libellous press, for wilfully inciting both white and coloured people against the lawful authority of the Republic; for intentionally bringing about misunderstanding and false relations between England and the Republic, whereby in this manner the interests of both countries, and of their citizens and subjects, are prejudiced, and the peaceful development of the Republic is opposed' (C. 8063, p. 13).**

In this passage Mr. Kruger puts his claim clearly enough, indeed, but somewhat tentatively. The claim was afterwards to become more peremptory, and on May 9, 1899, Mr. Reitz speaks of 'the inherent right of this Republic as a Sovereign International State' (see p. 164).

Next, it was Mr. Kruger's policy which raised the question in substance. It did so by the frequent breaches of Articles IV. and XIV. of the Convention with which we have already dealt (Chapter IX.). These breaches formed the subject of two despatches addressed by Mr. Chamberlain to the Transvaal Government on March 6, 1897 (Nos. 120 and 121 in C. 8423). Her Majesty's Government could not conceal from themselves that the Government of the South African Republic have in these cases failed to give effect in practice to the intention, so frequently expressed in public and official utterances, of upholding the Convention on the part of the Republic, and of maintaining that good understanding with Her Majesty's Government which is so necessary in the interests of South Africa.' It is from this protest against breaches of the Convention that the 'suzerainty' discussion started off. To Mr. Chamberlain's despatches of March 6 Mr. Van Boeschoten, Acting State Secretary, replied in a very long note (pp. 6-14 of C. 8721). It is remarkable for the fact that the writer sought to qualify the conditions imposed by the Convention by the rights of nations which are not bound by any similar limitations. The note ended with a proposal to submit all the alleged breaches of the Convention to an arbitrator appointed by the President of the Swiss Confederation.

It was impossible for the British Government, consistently

with the maintenance of its position in South Africa, either to pass by the claims which Mr. Van Boeschoten had by implication made, or to agree to his proposal for foreign arbitration. Mr. Chamberlain replied on October 16 (No. 7 in C. 8721). In this reply he pointed out that the relations between the two Governments were not those which subsist between two Independent Powers. The Conventions of 1881 and 1884 were not treaties between such Powers, but declarations of the conditions on which Her Majesty accorded self-government. Her Majesty's Government were resolved in 1884, and were still resolved, not to admit the interference of any Foreign Power between Her Majesty and the South African Republic, and for these reasons they 'cannot consent to submit questions as to the infringement of the Convention to the arbitration of any Foreign State or of the nominee of any Foreign State.' The substance of Mr. Chamberlain's argument, as thus summarized, was entirely sound; but, unfortunately, he imported into it—quite unnecessarily, as I think—(1) the word 'suzerainty' (§§ 8, 22), and (2) a statement that the preamble of the Convention of 1881 was still in force (§§ 21, 22). The use of the words 'suzerain' and 'suzerainty' was unnecessary, because, as Lord Derby said, 'though the word is not actually employed (in the Convention of 1884), we have kept the substance.' The point about the preamble of 1881 was similarly superfluous. I do not think that the merits of this latter controversy need detain us very long. On the one hand, it was argued that, as the preamble of 1881 was not in any way repeated in 1884, it must have been superseded. On the other hand, it was replied that the Convention of 1884 described itself as substituting a fresh set of 'articles,' thus preserving the old preamble. Further, the preamble not only asserted the suzerainty, but also conferred 'complete self-government' subject thereto. If, therefore, the preamble was abolished, the right of self-government must go, together with the suzerainty. Eminent legal luminaries differ on the question. On the former side were the Law Officers of the Crown. Mr. Lawson Walton, K.C., and I believe other Liberal lawyers, agreed with them. On the other side were Sir

William Harcourt, Sir Edward Clarke, and others. The question seems to be immaterial; for, on the one hand, it must be admitted that any suzerainty claimable under the preamble of 1881 is governed by the Convention of 1884; while, on the other hand, the Convention of 1884 becomes unintelligible without reference to that of 1881. The following 'opinion,' given by Mr. Frederic Mackarness, who is well known as friendly to the Boer side, seems to me conclusive:

'There may, no doubt, be cases in which an independent Sovereign agrees to leave the conduct of his foreign relations in the hands of another friendly Power without losing his independence or submitting to suzerainty. The Sultan of Johore, as shown in a case recently before the English Courts, is a case in point. Under a treaty made in 1885, in return for British protection, he surrendered the conduct of his foreign relations to the British Government, and the latter did not contemplate and does not claim any suzerainty over him. But the Sultan was as independent as the Queen, and in the absence of express mention of it no question of suzerainty could well arise out of an equal contract in which each party made an agreement and gave consideration for it. The case is entirely different from that of the Boers, who, as subjects of a sovereign State, obtain, by successive acts of grace from their sovereign or suzerain, rights of self-government even of the largest kind, provided the sovereign or suzerain chooses to retain in her hands some one or more conspicuous and substantial attribute of her supremacy. Such a reservation is in itself evidence to all the world that she does not mean to entirely divest herself of suzerainty. The very form of the preamble to the Convention of 1884 is such as to preclude the idea of its being the introduction to a treaty between two equal Powers, while the language of the Articles differs markedly from that used in either of the Conventions of 1852 and 1854, by which the Boer States originally gained independence. I come, then, to the conclusion that, although the Convention of 1884 conceded to the Boers everything that was distasteful to their sentiment of nationality, but not essential to British supremacy, yet by the reservation to Her Majesty of the control of their foreign relations, British supremacy was effectively asserted and Boer independence was effectively negatived.[1] Such a supremacy may, I think, be properly

[1] An eminent Dutch jurist, Professor de Loieter, of Utrecht University, has expressed himself in the same sense: 'It would be idle to deny that Article IV. of this Convention, still actually in force, prevents the Republic from being counted among States really sovereign or independent. Sovereignty does not admit of other restrictions than those which are clearly defined and freely accepted by parties contracting on equal terms.

called suzerainty; but until that word, which has been used to mean so many different things, has been authoritatively defined, no one can be absolutely certain on the point. I freely admit, however, that the suzerainty is defined and limited by the terms of Article IV. and their logical consequences. Against any larger claim on the part of the suzerain Power the Boers are fairly entitled to protest' (*South African Review*, February 5, 1898).

The British Government did not make any larger claim. When it was driven to interfere with the administration of the Transvaal Government, it did so not in virtue of a vague and general 'suzerainty,' but on three specific grounds. The first was Article IV. of the Convention of 1884, relating to treaties. The second ground was that of other articles in the Convention, conferring express rights on British subjects, or expressly limiting the action of the Transvaal Government. The third ground was common to all States; it is the inherent right of every State to make friendly representations, and, if necessary, to take forcible measures for the protection of its subjects residing in another State.[1] With regard to this latter point, the whole object of Lord Milner's franchise policy was to reduce the occasions for such interference. Instead of having to interfere at several points on behalf of the Uitlanders, the British Government asked that the Uitlanders might, once and for all, be put into a position to work out their own salvation. It was thus a policy not directed against the independence

An unlimited obligation to submit all engagements made by one Power, during a certain period of delay, to the approbation of another, is incompatible with the idea of sovereignty' (*Revue de Droit International*, 1896).

[1] 'If we claim, as we do claim, if we enforce, as we do enforce, our right to seek redress for the grievances of our countrymen among the Uitlanders in the Transvaal, we do so not the least in virtue of this so-called suzerainty, but on the ground of international obligation, and with the additional authority which is given to us by the fact that we act in the interests of the whole South African communities at large, for whose well-being we are in the main responsible, and to whom the prolongation of the present evil relations between the Government of the Transvaal and those Uitlanders must be a constant source of disturbance and of danger' (Sir Henry Campbell-Bannerman's speech at Maidstone, October 6, 1899).

of the Republic, but rather designed to safeguard and confirm that independence. The British Government was also driven to protest against the Transvaal's claim to be a Sovereign International State, but this protest did not, any more than its interference, require the preamble of 1881 to justify it. Its justification was writ large enough in the Convention of 1884. The British Government, therefore, was not well advised in widening the area of verbal controversy by insisting on immaterial arguments.

Dr. Leyds, who had now become State Secretary, fastened upon the word 'suzerainty' in Mr. Chamberlain's despatch, as also upon the preamble of 1881. His reply (of April 16, 1898) occupies twelve pages (7-19) in the next Blue-Book (C. 9507). We need not trouble ourselves with it here. The point of the argument was that the preamble of 1881 was no longer operative, and that the term 'suzerainty' was not applicable to the relationship existing between Great Britain and the South African Republic. In transmitting the despatch, Lord Milner took what seems to be the sufficient and common-sense view of the matter:

> 'I am unable myself to see anything very material in this controversy. Both parties agree that the Convention of 1884 determines their mutual relations, and the Government of the South African Republic has repeatedly declared its intention of abiding by the terms of that Convention. Unfortunately it interprets the principal clauses in the Convention in a manner quite different from that in which Her Majesty's Government interprets them. What the right interpretation of these clauses is seems to me a matter of moment. Whether the relationship created by them is properly described as "suzerainty" is not, in my opinion, of much importance. It is a question of etymological rather than of political interest' (C. 9507, p. 6).

The substantive purpose of Dr. Leyds' despatch was the same as that of his predecessor's. It was, by denying the existence of any suzerainty, to draw the conclusion that, just as European States might refer to arbitration disputes regarding the construction of a treaty, so the South African Republic had 'the right to request an independent pronouncement on the extent of its rights and obligations as

against the Government of Her Britannic Majesty.' The case was, therefore, carried no further. The same remark applies to Mr. Chamberlain's rejoinder of December 15, 1898 (No. 6 in C. 9507). He reiterates his point about the preamble of 1881, and his contention that 'suzerainty' was the proper word to describe the relation of Great Britain to the Transvaal. Both points, as I have already said, were superfluous, for the substance of the British case admitted of conclusive statement on the terms of the Convention of 1884. What was retained by that Convention was what some have defined suzerainty to be, namely, 'superiority over a State possessing independent rights of Government subject to reservations with reference to certain specified matters.' This was enough for Mr. Chamberlain's argument, as, indeed, he showed in Section 7 of the despatch now under consideration:

'Her Majesty's Government have taken note of the assurance, once more repeated at the commencement of Dr. Leyds' note, that the Government of the South African Republic are prepared in every respect to abide by the stipulations of the Convention of 1884. These stipulations undoubtedly include "reservations with reference to certain specific matters." There is thus no controversy as to the essential point in the relations between the two Governments, which gives to Great Britain a position of "superiority," and having regard to this position, and to their determination not to permit the interference of any foreign Power between Great Britain and the South African Republic, Her Majesty's Government are unable to alter their decision not to submit to the arbitration of any Foreign Power questions relating to the interpretation or infringement of the Conventions between them' (C. 9507, p. 28).

It is a pity that Mr. Chamberlain did not rest content with this argument, and drop the superfluous points. It must not be supposed, however, that either side was arguing for mere words and nothing else. There was a definite and dangerous claim behind the contentions of the Transvaal Government.

This claim was boldly made in the next despatch (May 9, 1899). Mr. Reitz was now State Secretary, and he declared that 'the now existing right of absolute self-government of

this Republic is not derived from either the Convention of 1881, or that of 1884, but simply and solely follows from the inherent right of this Republic as a Sovereign International State' (C. 9507, p. 32). The way in which Mr. Reitz juggled with the Convention of 1884 in the course of his argument was well pointed out by Lord Milner (*ibid.*, p. 30). But this is by the way. The importance of the despatch consisted not in its arguments, but in its assertion of claim. It was no longer a question about the term 'suzerainty'; it was a question of the substance. The claim now made by the Transvaal Government was, as Lord Milner said, 'contradictory of the position consistently maintained by us, and, in fact, in the nature of a defiance of Her Majesty's Government.' On the question of arbitration Mr. Reitz said that the Government must 'abide by their former statement of opinion on this point.' That is to say, they still demanded arbitration by a Foreign State.

That was on May 9, 1899. The Bloemfontein Conference followed, and at it a good deal more passed on the subject of arbitration. To it we shall recur in a later chapter (XXVII.); here it is enough to say that at the end of the Conference Mr. Kruger tacitly dropped the claim for foreign arbitration, and spoke of 'arbitration by other than Foreign Powers.' Mr. Chamberlain had, of course, this fact before him when he sent the next 'suzerainty' despatch. This was on July 13, 1899 (No. 8 in C. 9507). In it he did not further refer to the word 'suzerainty,' or to the preamble of 1881. He contented himself with concurring with Lord Milner's views as cited above, and with regard to arbitration, said it 'must be dealt with in connection with the general questions now pending between the two Governments.' This, as we saw at the end of the last chapter, was done in Mr. Chamberlain's despatch of July 27. In that despatch Mr. Chamberlain (1) declined to submit to arbitration any question on the preamble of 1881 as governing the Articles of 1884 (he may well have done so, after Mr. Reitz's despatch of May 9); but (2) suggested an arbitration tribunal, from which any

foreign element should be excluded, to deal with questions of interpretation arising out of the Convention of 1884; (3) this suggestion being in connection with the proposed joint inquiry into the new Franchise Law. By these proposals, which seemed to concede so much of that which Mr. Kruger could reasonably ask, it was hoped that a peaceful settlement of the South African crisis would be obtained. But it was not to be.

## CHAPTER XVII

### THE PROPOSED JOINT INQUIRY

Hopes raised by the proposed joint inquiry—General agreement in this country—How Franchise Reform would work—Appeals to President Kruger to agree to inquiry—Letter from Sir H. de Villiers—Advice from the Netherlands Government—Mr. Montagu White's letter—The President opposed to inquiry—Text of the Seven Years' Law received—'A grotesque and palpable sham.'

WHEN the suggestion by the British Government of a joint inquiry into the Franchise Law became known, every friend of peace waited eagerly for Mr. Kruger's reply. On the assumption that the law was honestly intended to deal with the franchise question in a conciliatory manner, the solution now suggested by the British Government seemed to make the position very favourable to the Transvaal. The Uitlanders were depressed; pro-Boers were delighted. The Uitlanders saw, with the greatest misgiving, that the British Government had departed somewhat from Lord Milner's proposals at Bloemfontein. Those proposals should, they urged, have been regarded as a minimum; yet now the British Government was ready to listen to a seven years' instead of a five years' franchise. To this the Uitlanders strongly objected. They wanted definite guarantees that the Franchise Law, whatever it was, would not afterwards be whittled down. They said further that Franchise Reform of itself would not be sufficient; they wanted the Imperial Government to secure other reforms as well.[1] The *Times* remarked only the other day—presumably with reference to

[1] For the attitude of the Uitlanders at this time, see C. 9415, p. 59, and C. 9518, p. 20.

the rejection of the terms of July 27, 1899—that 'the Boers saved this country from what, as everyone now knows, would have been a gigantic blunder, by refusing terms which would have been wholly inadequate to safeguard British interests in South Africa' (Leading Article, March 22, 1901).

At the time, however, moderate men sincerely and even eagerly hoped that Mr. Kruger would take his chance. They felt that a small measure of reform (if genuine and guaranteed) would be better worth having by means of peace than a larger settlement at the risk of war. In a series of articles published at this time I endeavoured to formulate the national policy as I conceived it to be, and also to explain exactly what was hoped from the adoption of Franchise Reform. I reprint two of these articles here, because I believe they correctly defined the attitude of the 'centre' in this country (including, probably, a majority of both parties) during the fateful weeks which preceded the outbreak of war:

'THE BASIS OF A NATIONAL POLICY.

(*July* 29, 1899.)

'The most remarkable thing about the debates in Parliament yesterday was the large measure of agreement they disclosed between the two parties. When this fact comes to be recognised, it ought to have a most salutary effect in South Africa, and to contribute powerfully to a peaceful settlement of the present difficulties. Of course there were differences in point of view, and differences also in temper. Sir Henry Campbell-Bannerman, for instance, having in his previous speech at Ilford dwelt so emphatically on the wrongs of the Uitlanders, kept the balance even last night by dwelling rather on the very natural difficulties and prejudices of the Boers. Mr. Chamberlain, on the other hand, confined himself to the wrongs of the Uitlanders. Mr. Chamberlain, again, showed, as is his wont, a certain asperity of temper, which was conspicuously absent from Lord Salisbury's more genial, but not less serious, observations.[1] But

[1] 'Throughout the whole of the period which has elapsed since 1881 his one effort has been to separate the English and the Republican Governments—to divide the two nations into two camps, and to give the Dutch a superiority to which their numbers give them no title, and to reduce the English to a condition almost of a conquered, certainly of a subjugated, race. I do not entirely blame him for the kind of panic which seems to have seized on him and his advisers at the irruption of the gold-diggers

beneath all such differences as these there was a solid substratum of agreement in the speeches of all the responsible leaders. From a careful and impartial collation of these speeches there emerge the outlines of a policy which appears to command the support of both parties, and which is, therefore, not so much the policy of the Government as the policy of the nation. This policy may be most conveniently formulated in a series of propositions, illustrated by references to the speeches.

'1. The grievances of British subjects in the Transvaal are real and substantial.—The strongest statement of this proposition is Sir Henry Campbell-Bannerman's at Ilford (June 18, 1899): "It can hardly be questioned in any quarter that many of the complaints of the Uitlanders are well founded. The Uitlanders have not the municipal government, the police protection, the organized maintenance of order, the even-handed administration of justice, which in all civilized communities are regarded as the very elements of civil right and civil freedom."

'2. The British Government is bound to see that these wrongs are righted, not only in justice to the British subjects immediately concerned, but in the interests of South Africa generally.—"The condition of the

of 1886. It was not a very attractive population at first sight, and it is quite conceivable they might have felt some anxiety lest these gold-diggers should be able to so completely obtain the government that the Dutch might suffer precisely the disadvantages which the British are suffering now. I can understand, and to a certain extent make some allowance for, that apprehension; but where I blame him is that, when this difficulty came upon him, instead of remembering the engagement which he had entered into with his English people, instead of remembering the recognition of the position of England, which in those two Conventions is, at all events to a great extent, manifestly and unquestionably recognised, he placed himself in an attitude of sheer opposition, and never came to the English Government to consult them as to how this great and marvellous phenomenon of the irruption could be dealt with. I do not think anyone could have said to him: "You are bound to allow your population to be overwhelmed and swept away"; but it is obvious that goodwill and consideration should have prompted him to give sufficient protection to the Uitlander and British population without entirely annihilating the Dutch population. . . . I believe that, if the burghers showed a real desire to eliminate that race disqualification and to put the two races fairly and honestly on the same footing, I think they might look forward to a peaceful solution of a crisis which is undoubtedly serious. How long we are to consider that solution and what patience we are bound to show—these things I will not discuss. We have to consider, not only the feelings of the inhabitants of the Transvaal, but, what is more important, the feelings of our fellow-subjects' (House of Lords, July 28, 1899).

Uitlanders," said Lord Kimberley last night, "is a standing danger to the whole of South Africa."

'3. But in obtaining this redress of grievances the British Government is bound, by every reason of expediency and righteousness, to exhaust all the resources of peaceful diplomacy.—It is satisfactory to find that on this matter both parties are agreed. Lord Kimberley last night associated himself with Sir Henry Campbell-Bannerman's declaration: "Nothing had occurred which would justify war." Ministers on their side did not traverse this statement. "We have," said Mr. Chamberlain, "sent no ultimatum and used no threats." "We shall," said Lord Selborne, whose speech was expressly endorsed by the Prime Minister, "we shall show great patience and every consideration for others."

'4. But this policy of patience does not mean any want of earnestness. Great Britain intends to see the wrongs of which she complains righted. —Here, as on the previous proposition, there is unanimity. "They had set their hands to the plough," said Lord Selborne, in words afterwards repeated by Lord Salisbury, "and would not turn back until the permanent cause of dissatisfaction in Africa was removed." An attempt was made to represent Sir Henry Campbell-Bannerman as having sought to rule out in advance any measure other than friendly advice. He did not do so. He said, and said most truly, that a war in South Africa would be "one of the direst of calamities." But he added: "There is no part of the world, including South Africa, in which, from one year to another, there may not occur, at almost any time, a necessity for this country to take up arms in protection and vindication of its essential interests." What the Opposition leaders say, and say truly, is that no case of war has yet arisen. They say, further—and what sane man can disagree with them?—that war would be a dire calamity, and they hope and believe that no necessity for it will arise; but they do not say that under no conceivable circumstances would war be necessary. The case was put very clearly by Lord Kimberley in the course of his admirably moderate and yet firm speech:

'"The question was, Had matters arrived at a stage which would justify war? He did not mean preparations for war, because it was obviously the duty of any Government to be prepared. But nothing had occurred to justify a declaration of war. What was wanted was firm and constant pressure, which would make it clear that this country was in earnest. No difficult matter could be carried through unless you were in earnest. He believed and hoped that earnestness would result in a peaceful settlement."

That hope is shared by every sane and honest man. We believe that its realization will be made appreciably more probable by the judicious and patriotic speeches delivered by the leaders of the Opposition yesterday.

'What, then, is to be the next move? The answer given to this question was the second main point of interest in the debates. The Government, it seems, still hope to find in the latest franchise scheme "the basis of a

satisfactory settlement." They found that hope on the belief that the scheme has been put forward in good faith as an honest and genuine proposal for giving a substantial measure of enfranchisement to the alien population. But will it have this effect? Are the restrictions still imposed of such a nature as to take away in detail what seems to be given in the gross? How many Uitlanders will be enfranchised? How will the redistribution scheme work out? These are all questions which require careful and unprejudiced examination by experts. What, therefore, the British Government has suggested to President Kruger is, in Mr. Chamberlain's words,, "a joint inquiry to consider these latest proposals, with a view to seeing how far they will give that substantial and immediate representation which alone can be considered the basis of a satisfactory settlement." We cannot doubt that Mr. Schreiner and Mr. Hofmeyr will in this matter employ their great and beneficent influence in the direction of a friendly accommodation. Mr. Hofmeyr has declared that the scheme in question is practically the same as Sir Alfred Milner's. Mr. Schreiner, who is himself, as we have shown, a "five-years man," has pronounced the scheme quite satisfactory. Let the matter be threshed out round a table by the experts. If the estimates of the scheme put forward in Afrikander circles can be proved to be correct, the British people will gladly be convinced. If, on the other hand, the criticisms of Sir Alfred Milner and the Uitlanders are proved to be just, then President Kruger would only be fulfilling his own policy by making the necessary amendments.'

'After the Franchise.

(*August* 22, 1899.)

'News is sent over from Uitlander circles to the effect that, "even if President Kruger's offer (about the franchise) is accepted, the agitation in Johannesburg will not cease." Of course it will not. The policy of the franchise would altogether fail if it did. The franchise is not an end in itself, in the Transvaal or anywhere else. It is a means to an end, and more especially to the redress of grievances. The motive force at the back of the demand for the franchise for the Uitlanders is the existence of Uitlander grievances. If the grant of the franchise were not to be followed by political agitation, the era of reform would not set in, and thus things would be little, if any, better than before. In this sense, the news that the acceptance of President Kruger's offer about the franchise will not end the era of agitation has nothing extraordinary or unreasonable about it. On the contrary, it is merely the announcement of a political truism: Reform Bills do not terminate, they inaugurate, eras of reform.

'Nevertheless, there is one sense in which the reported attitude of the Uitlanders is open to exception, and it may be well, therefore, to clear up a source of possible confusion. We must carefully distinguish between internal agitation and external. The present agitation in Johannesburg

is external. Deprived of all efficient means of constitutional agitation, the Uitlanders have appealed to the Imperial Government, as British subjects, for the redress of grievances which, as Lord Salisbury said in the House of Lords, could not tamely be borne in any State. Instead of pressing directly for the redress of these grievances, the British Government proposes indirect redress by means of the franchise. The object of this policy was to avoid the multiplication of disputes between the two Governments, by putting the Uitlanders in a position gradually to work out their own salvation. Stress must be laid on the word "gradually," for the Uitlanders are very much under a misapprehension if they suppose that the minority representation, which is all that the British Government has in its moderation demanded for the British majority, will in a moment transform the South African Republic into a well-governed State. It will work only as leaven, slowly leavening the whole lump. The Uitlanders will, at any rate, be within the pale. They will know what goes on at Secret Sessions of the Raad. They will be able constitutionally to make their voices heard. They will carry some seats at once, and in other constituencies they will form a minority which rival candidates may have to reckon with. They will not be able to carry in their own President or Commandant-General, but as between Mr. Kruger, let us say, and Mr. Schalk Burger, they will count as an "interest" to be "placated." The essential reasonableness of the Uitlanders' case, and the fact that the reforms they want would in reality benefit equally the whole community, will serve, in combination with a gradually and automatically increasing Uitlander representation, to fuse the two races and to reform the institutions of the State. This is the game which the Uitlanders have to play. It is not a game which admits of any sudden or sweeping transformations; rather will it call for the exercise of much patience and tenacity. But Englishmen, at any rate, ought to recognise that reforms are none the worse for being gradually introduced, for being obtained constitutionally and coming by a process of general consent.

'Such, then, is the prospect which Sir Alfred Milner's policy of "Franchise First" opens up. The Uitlanders cannot without disloyalty to him and to the Government which has acted upon his advice both accept his policy and reject it. They must work out their own salvation—not take the franchise and yet at the same time call upon the Imperial Government to come in at every turn and help them. If this is what the Uitlanders mean by saying that, "even if President Kruger's offer is accepted, the agitation in Johannesburg will not cease," they are putting themselves palpably in the wrong. What they have a right to demand, as we showed last week, is the Imperial Government's guarantee for the franchise. Having obtained that, they must work the franchise by themselves and for themselves for all that it is worth, and must expect no aid, or very little, from anybody else. We do not say that there are no subjects which after the franchise will require the intervention of the Imperial Government. On the contrary, Sir Alfred Milner, in his despatch upon the

Bloemfontein Conference, points out that there would necessarily be several such subjects, even if the whole of his franchise policy were adopted. The close relations between the two Governments, and the existence of Conventions between them, render this inevitable. It is for this reason that President Kruger asks and Sir Alfred Milner agrees to have some sort of Arbitral Tribunal established. But in purely internal, and what we may call extra-conventional, matters the appeal must, after the franchise, be to the Transvaal Executive, not to the Imperial Government. There is one grievance which is, perhaps, on the border-line—the non-recognition of the English language. Undoubtedly, if the franchise policy is to be honestly and sincerely tried, the Volksraad should be bi-lingual. This, in similar cases, is the English rule. It ought to prevail also in the South African Republic.'

The views expressed in articles such as these were shared, as we now know, by moderate men in South Africa, and also by judicious well-wishers of the Republic in Europe. On July 31 the Chief Justice of the Cape wrote as follows to Mr. Fischer of the Free State:

'Is there nothing to be done to bring this Transvaal business to a speedy settlement? With the position which I occupy I can offer no assistance, and must content myself with making a few suggestions here and there in the hope that they may bear some fruit. Hitherto my suggestions to President Kruger's friends in the Transvaal have certainly not been of much avail. I am convinced they must now regret they did not recommend to President Kruger, three months ago, as I strongly urged, to offer voluntarily a liberal Franchise Bill, with such safeguards as would prevent the old burghers from being swamped. . . . Mr. Chamberlain's speech was more moderate than I expected it would be, and as he holds out an olive-branch in the form of a joint inquiry into the franchise proposals, would it not be well to meet him in this matter? I know that it might be regarded as a *partial* surrender of independence, but would that not be better than a possible *total* loss of independence? The British public is determined to see the matter through, and if a contest is begun, will not rest until the Transvaal has completely submitted. Of course, I am only giving you my individual views in strict confidence. I may be mistaken in taking such a serious view of the matter, and perhaps you may have information which satisfies you that there are other ways of settling the difficulty. I confess I dread the prospect of a war of races in South Africa. If you can see your way to bring about a settlement to all concerned, you will be a benefactor to South Africa. I don't think that President Kruger and his friends realize the gravity of the situation. Even now the State Secretary is doing things which would be almost farcical if the times were not so serious. . . . The time really has come when the friends of the Transvaal

must induce President Kruger to become perfectly frank and take the newcomers into his confidence. It may be a bitter pill to have to swallow in yielding to further demands, but it is quite clear to the world that he would not have done as much as he has done if pressure had not been applied. What one fears is that he will do things in such a way as to take away all grace from his concessions. Try and induce him to meet Mr. Chamberlain in a friendly manner, and at once remove all the causes of unrest which have disturbed this unhappy country for so many years' (Cd. 369, p. 3).

From Europe President Kruger received similar advice. Dr. Leyds may, indeed, have told him other things (see below, p. 182), but this is what he heard from the Hague:

'*August* 4, 1899.—Communicate confidentially to the President that, having heard from the Transvaal Minister the English proposal of the International Commission, I recommend the President, in the interest of the country, not peremptorily to refuse that proposition.

'*August* 15, 1899.—Please communicate confidentially to the President that the German Government entirely shares my opinion expressed in my despatch of August 4, not to refuse the English proposal. The German Government is, like myself, convinced that every approach to one of the Great Powers in this very critical moment will be without any results whatever, and very dangerous for the Republic' (Cd. 547, p. 9).

The disinterested pleas for peace which were thus addressed to Mr. Kruger from so many quarters were reinforced by arguments of a less ingenuous kind from the extreme 'pro-Boers.' On August 4 Mr. Montagu White wrote as follows to State Secretary Reitz:

'My inclination is to wire to you, asking you to tell the British Government to go to the devil and do their "darnedest." It is perfectly sickening the way one is kept in a continual state of suspense and nervous excitement. Everything is as quiet as possible on the surface, and there has been a tremendous decrease in press cuttings, which is a sure sign that matters are relapsing into a normal condition. But I have been able to judge of the effect upon our friends of hints that we may not be able to accept the proposed Commission. Without exception, they one and all are dead against our refusing it, and all agree that we shall have to face a very serious crisis if we refuse the proposal, and that without the friendly support of the majority of the newspapers, which have hitherto been on our side. . . . Even our best friends say that, by rejecting the report of the Industrial Commission two years ago, we have allowed things to go so far that it is unwise to talk of intermeddling in our home affairs as a refusal to entertain what public opinion here endorses as a

fair proposal. The essence of friendly advice is: Accept the proposal in principle, point out how difficult it will be to arrive at a satisfactory conclusion as to statistics, etc., and how undesirable it would be to have a miscarriage of the Commission. In other words: Gain as much time as you can, and give the public time here to get out of the dangerous frame of mind which Chamberlain's speeches have created. . . .

'Labouchere said to me this morning: "Don't, for goodness' sake, let Mr. Kruger make his first mistake by refusing this; a little skilful management, and he will give Master Joe another fall." He further said: "You are such past-masters in the art of gaining time, here is an opportunity; you surely haven't let your right hands lose their cunning, and you ought to spin out the negotiations for quite two or three months." I must leave off now. Please remember one thing: I do not send you my advice. I send you the opinions of friends and the tendency of public feeling here' (Cd. 369, p. 15).

Mr. Montagu White seems to have felt that peaceful advice would not be very acceptable to the State Secretary at Pretoria. He was right. 'When I was at Pretoria,' wrote Sir Henry de Villiers, on July 31, 'Reitz seemed to treat the whole thing as a big joke. He is a danger in the present situation' (Cd. 369, p. 4). As for war, which the Chief Justice dreaded, it had no terrors for President Kruger. 'Defeats such as the English had suffered in the war for freedom, and later under Jameson, had never been suffered by the Boers' (Cd. 547, p. 9). So Mr. Kruger had explained to the Consul-General of the Netherlands, to whom he afterwards explained his objections to the proposed inquiry into the new Franchise Law. 'It was not an International Commission, and by accepting it a very direct encroachment of the English in internal affairs would result.' And so, while all the world waited for Mr. Kruger, no reply was forthcoming. It was clear that the idea of a public and impartial examination into the Franchise Law, an idea which seemed eminently reasonable to those who sincerely wished for peace and who believed in the Transvaal's good faith, was distasteful to the President himself.

Why? I think the conclusion inevitable that one reason was this: President Kruger and his advisers knew all about the law; they knew it to be an elaborate sham. As we have seen, outside opinion was for some time in the dark about the law. It was very complicated, and the full text

was not available. But gradually light was thrown, and on August 11 the text reached this country. What did it disclose? I give the answer in the words of Mr. Robson, K.C., M.P.:

'The conditions attached to naturalization and franchise in the Act are of such a character as to make the period of qualification utterly unimportant. It might almost as well be seventy years as seven. . . . It is supposed that the Act was a general measure of enfranchisement for Uitlanders. Nothing of the sort. It was a measure enabling the Boer officials to enfranchise those rare and remarkable Uitlanders who might for seven years have enjoyed the personal acquaintance of the Field Cornets and Landdrosts of the wards and districts in which they have respectively lived. And it must apparently have been something more than a slight acquaintance, for those officials are to certify entirely from personal knowledge as to (1) domicile; (2) continuous registration; and (3) obedience to the laws on the part of the Uitlander, and, moreover, that he has not been guilty of any crime against the independence of the country, whatever that may mean. Of course, the framers of the Act had it well in their minds that the Uitlanders are a separate community, speaking a language proscribed in all official relations, so that knowledge of them by either officials or burghers would not be likely to extend to a seven years' acquaintance of the personal character required. They therefore felt quite safe in giving an alternative to the Field Cornet's personal knowledge. They allow him to give his certificate on the affidavits (from personal knowledge, of course) of two "notabele" burghers of the Uitlander's ward and district. A "notabele" burgher is officially defined as being one who is "more than respectable." Where are the working men, or anybody else on the Rand, who can claim a seven years' acquaintance with Boer neighbours of such distinction, and where are the "more than respectable" Boers who can or would make the necessary affidavits on his behalf? But when the impossible has happened, and all these things have been done by and for the Uitlander, he must still produce "further proof of good behaviour," such as will satisfy the State Secretary and the State Attorney. And so the Act goes on. I have given you a small selection of its absurdities, but they suffice to show that as a measure purporting to give immediate and substantial representation, it is "a grotesque and palpable sham." Of course, the Boer officials would by means of it be able to let in as many Uitlanders as they thought hostile to England, but the number who could honestly fulfil the conditions of the Act is obviously insignificant, and even they could not compel the officials to enfranchise them' (Letter to the *Times*, October 28, 1899).[1]

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[1] Lord Milner's destructive analysis of the law is to like effect. It will be found in No. 30 of C. 9518. One of the members of the Raad

It was now clear that the law, as passed, was wholly inadequate to its pretended purpose, and that an impartial inquiry could only report in that sense. The mystery of Mr. Kruger's delay in replying to the suggestion of such an inquiry began to be unravelled. But hope was not yet abandoned. It was thought that perhaps Mr. Kruger himself had not appreciated the full significance of the traps so carefully set in the law. We all, therefore, still waited on Mr. Kruger's word. When at length he spoke, it was to give a new and unexpected turn to the negotiations.

remarked in the course of the debates that "it was not in the Raad's interest to lay traps and make impossibilities in the law."

## CHAPTER XVIII

### THE FIVE YEARS OFFER

'President Kruger's half-crown'—Negotiations with Sir W. Greene, the British Agent at Pretoria—Proposals transmitted by him to British Government—It agrees to consider such proposals on their merits—Definite proposals submitted on August 19, with a rider on August 21—This altered basis of negotiations—Sir H. de Villiers on possible motive of the alteration—Differences between the formal proposals and those submitted to Sir W. Greene—Transvaal Government declines to reconsider them—British despatch of August 28—Analysis of its substance—A qualified acceptance—Inquiry still required—Assurances with regard to future intervention, suzerainty, and arbitration—Criticism of form of despatch—Mr. Chamberlain's 'squeezed-sponge' speech—Summary of the situation on August 28.

A COUNTRYMAN who had some claim against a neighbour was once offered a florin in full discharge. He suspected the florin. 'Let us drop any inquiry into that,' said the donor; 'I will make it half a crown instead.'[1] This little apologue not unfairly describes the move in the diplomatic game which we have now to unfold. Mr. Kruger had offered a Seven Years Franchise Law. The British Government were not disinclined to accept it if it were genuine. But they reasonably suspected it, and wanted to inquire into its genuineness. Mr. Kruger said, 'Drop inquiry, and I will make the seven years five.'

The negotiations to this end began at Pretoria on August 12, when the State Attorney communicated to Sir W. Greene, the British Agent, yet another draft Franchise Law. The seven years term was maintained, but the law was simplified, and there was to be a further increase of seats for the Gold

[1] *Cape Times*, August 24, 1899.

Fields. Sir W. Greene spoke of the seriousness of the situation, and urged Mr. Smuts to induce his Government to accept the Bloemfontein minimum. On August 14 Mr. Smuts met Sir W. Greene again, and made proposals which the latter conveyed in two telegrams to the High Com missioner (who was not previously aware of the pourparlers).[1] The first telegram was in terms which Mr. Smuts saw in draft. The second telegram he did not see; it gave further elucidations, founded (like the first telegram) on conversations between the two men. The Transvaal Government at this time had not communicated the proposal in writing. The two telegrams were sent by Sir W. Greene as containing one and the same offer, and as such were considered by the British Government. As, however, there was afterwards a controversy about Sir W. Greene's accuracy, I distinguish the items by printing in italics the points derived from the second telegram. The proposal, then, as understood by the British Agent was this:

'The British Government not to press their demand for a joint inquiry, on the following points being conceded by the Transvaal Government:

'1. Five years retrospective franchise. Bill to be introduced at once, Government pledging itself to get Raad to adopt it. Might become law in a fortnight.

'2. Details of new law, *simplified immensely*, to be discussed with British Agent and his legal adviser.

'3. Both old and new population to have equal rights and privileges in regard to the election of Commandant-General and President.

'4. *Should there be any change from the manner of election existing at present, matter "to be discussed between us."*

'5. Rand to get eight new seats in a Volksraad of thirty-six; its future representation not to fall below this proportion.

'6. *Future extension of franchise to new population not to be restricted to Rand, but extended to such other goldfields as might be fairly entitled thereto.*

'7. *As regards language, the new members of the Volksraad to use their own.*'

'In putting forward these proposals, the Transvaal Government

'(*a*) Will assume that Her Majesty's Government will agree that a precedent shall not be formed by their present intervention for similar

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[1] See Lord Milner's despatch of September 20, at p. 57 of C. 9530.

action in future, and that no future interference in the internal affairs of the Republic will take place contrary to the Convention.

'(*b*) Further, that Her Majesty's Government will not insist further upon the assertion of suzerainty, the controversy on this subject being tacitly allowed to drop.

'(*c*) Lastly, as soon as franchise scheme has become law, arbitration, from which the foreign element is excluded, to be conceded. In the meantime, in order that no time may be lost, the form and scope of the proposed tribunal to be discussed and provisionally agreed upon while the franchise scheme is being referred to the people. (*They are willing that we should have any of our own judges or lawyers, English or Colonial, to represent us, and that the President or Umpire should be equally English, Colonial, or Boer*' (C. 9521, p. 44).

Sir W. Greene, in receiving these proposals, did not in any way commit 'Her Majesty's Government to acceptance or refusal of proposal; but I have said that I feel sure that if, as I am solemnly assured, the present is a bonâ fide attempt to settle the political rights of our people once for all, the Government of the South African Republic need not fear that we shall in the future either wish or have cause to interfere in their internal affairs. I have said, as regards suzerainty, that I feel sure Her Majesty's Government will not and cannot abandon the right which the preamble to the Convention of 1881 gives them, but that they will have no desire to hurt Boer susceptibilities by publicly reasserting it, so long as no reason to do so is given them by the Government of the South African Republic' (C. 9521, p. 45).

The proposals which seemed on the face of them to offer so fair a prospect of peace reached Lord Milner on August 15, and were telegraphed on the same day to Mr. Chamberlain. On August 17 Lord Milner instructed Sir W. Greene as follows:

'If the South African Republic Government should reply to the invitation to a joint inquiry put forward by Her Majesty's Government by formally making the proposals described in your telegram, such a course would not be regarded by Her Majesty's Government as a refusal of their offer, but they would be prepared to consider the reply of the South African Republic Government on its merits' (p. 46).

The proposals in question were, it must be understood, those set out above. If these same proposals were definitely

made, the British Government pledged itself, not to accept them, but to consider them on their merits as a substitute for the joint inquiry previously suggested. They consented, that is, to negotiate on a new basis.

On August 19 the proposals were formally made, but, as we shall see, they were not the same proposals. The note from Mr. Reitz was as follows:

'SIR,

'With reference to your proposal for a joint inquiry contained in your despatches of the 2nd and 3rd August, Government of South African Republic have the honour to suggest the following alternative proposal for consideration of Her Majesty's Government, which this Government trusts may lead to a final settlement:

'1. The Government are willing to recommend to the Volksraad and the people a five years retrospective franchise, as proposed by His Excellency the High Commissioner on the 1st June, 1899.

'2. The Government are further willing to recommend to the Volksraad that eight new seats in the First Volksraad, and, if necessary, also in the Second Volksraad, be given to the population of the Witwatersrand, thus, with the two sitting members for the Goldfields, giving to the population thereof ten representatives in the Raad of thirty-six, and in future the representation of the Goldfields of this Republic shall not fall below the proportion of one-fourth of the total.

'3. The new burghers shall equally with the old burghers be entitled to vote at the election for State President and Commandant-General.

'4. This Government will always be prepared to take into consideration such friendly suggestions regarding the details of the Franchise Law as Her Majesty's Government, through the British Agent, may wish to convey to it.

'5. In putting forward the above proposals Government of South African Republic assumes: (*a*) That Her Majesty's Government will agree that the present intervention shall not form a precedent for future similar action, and that in the future no interference in the internal affairs of the Republic will take place; (*b*) that Her Majesty's Government will not further insist on the assertion of the suzerainty, the controversy on the subject being allowed tacitly to drop; (*c*) that arbitration (from which foreign element other than Orange Free State is to be excluded) will be conceded as soon as the franchise scheme has become law.

'6. Immediately on Her Majesty's Government accepting this proposal for a settlement, the Government will ask the Volksraad to adjourn for the purpose of consulting the people about it, and the whole scheme might become law, say, within a few weeks.

'7. In the meantime the form and scope of the proposed tribunal are

also to be discussed and provisionally agreed upon, while the franchise scheme is being referred to the people, so that no time may be lost in putting an end to the present state of affairs. The Government trust that Her Majesty's Government will clearly understand that in the opinion of this Government the existing Franchise Law of this Republic is both fair and liberal to the new population, and that the consideration that induces them to go further, as they do in the above proposals, is their strong desire to get the controversies between the two Governments settled, and further to put an end to present strained relations between the two Governments and the incalculable harm and loss it has already occasioned in South Africa, and to prevent a racial war from the effects of which South Africa may not recover for many generations, perhaps never at all, and therefore this Government, having regard to all these circumstances, would highly appreciate it if Her Majesty's Government, seeing the necessity of preventing the present crisis from developing still further and the urgency of an early termination of the present state of affairs, would expedite the acceptance or refusal of the settlement here offered' (p. 46).

The Transvaal Government stated its anxiety to expedite matters, but on August 21 a second note came from Mr. Reitz:

'SIR,

'In continuation of my despatch on the 19th inst., and with reference to the communication to you of the State Attorney this morning, I wish to forward to you the following explanation thereof, with the request that the same may be telegraphed to His Excellency the High Commissioner for South Africa, as forming part of the proposals of this Government embodied in the above-named despatch :

'1. The proposals of this Government regarding question of franchise and representation contained in that despatch must be regarded as expressly conditional on Her Majesty's Government consenting to the points set forth in paragraph 5 of the despatch, viz. : (*a*) In future not to interfere in internal affairs of the South African Republic ; (*b*) not to insist further on its assertion of existence of suzerainty ; (*c*) to agree to arbitration.

'2. Referring to paragraph 6 of the despatch, this Government trusts that it is clear to Her Majesty's Government that this Government has not consulted the Volksraad as to this question, and will only do so when an affirmative reply to its proposals has been received from Her Majesty's Government' (p. 47).

This postscript altered the effect of the first note, and the formal proposals were now very different from those sent by

Sir W. Greene. Originally the proposals, as Sir W. Greene puts it, 'were of the nature of a friendly rapprochement.' Subsequently they were 'reduced to a regular "Kaffir bargain" on the strict *do ut des* principle' (Sir W. Greene's, despatch of August 26, p. 23 in C. 9530). The change was certainly not calculated to increase the chances of an immediate and friendly settlement. What was the meaning of it? Sir Henry de Villiers has a theory on the subject which is worth mentioning:

'The despatch of the 21st August seems to me to have been wholly unnecessary, unless something happened between the 19th and 21st which led the Transvaal Government to think they had yielded too much. I have heard it said that between these dates a cablegram from Dr. Leyds gave hopes of European intervention, and the return of Wolmarans from the Orange Free State gave hope of assistance from that quarter; but that may be mere rumour' (Cd. 369, p. 6).

Mr. Schreiner, it may be added, shared the Chief Justice's opinion on this point (see p. 300).

However that may be, the decision, on second thoughts, to change friendly pourparlers into a strict 'Kaffir bargain' was obviously not a good stroke in the interests of peace. If the conditions had been left on the basis of Mr. Smuts' conversation with Sir W. Greene, any difficulties might have been smoothed over by friendly discussion and mutual concession. The form ultimately adopted—'expressly conditional,' etc.—made it much more difficult for Her Majesty's Government to accept them or pass them by without equally express reservations.

But this was not all. The franchise proposals themselves, as formally submitted, differed materially from those which Sir W. Greene gathered from Mr. Smuts.[1] Thus, (1) the language question mentioned by Mr. Greene dropped out. The point was important, for unless the Uitlanders were to be allowed to speak English, their votes might be voiceless. (2) Another point which dropped out was the promise to

[1] A difference, besides those mentioned in the text, is made something of in the despatches, viz., the manner in which notes were to be exchanged. It does not seem to me material, and it played no part in subsequent negotiations (see C. 9521, p. 48, and C. 9530, p. 22).

discuss any future changes in the manner of electing the Executive. This also was important, for a subsequent resolution of the Raad might otherwise deprive the Uitlanders of their vote. These points, however, though important, were not vital. Other differences between Mr. Smuts' offers and Mr. Reitz's were vital. Thus, (3) to Sir W. Greene the proposal was that the details of the new law, which were to be very simple, were to be discussed with the British Government. In Mr. Reitz's note no promise was given about the simplification of details (a most essential point, as we saw in the last chapter); and (4) instead of discussion with the British Agent and his legal adviser—*i.e.*, presumably *previous* discussion—all that Mr. Reitz offered was a readiness to take into consideration friendly suggestions, an altogether different thing. The whole deadlock to which the negotiations had come arose from the action of the Transvaal Government in encumbering plausible franchise reforms with details calculated to make the reforms inoperative, and in refusing either to come to any frank understanding with the Uitlanders or the British Government beforehand or afterwards to submit the details to joint inquiry. The proposals as conveyed to Sir W. Greene seemed at last to avoid this difficulty, and to make a definite offer in a form which insured its good faith. But the formal note, as drafted by Mr. Reitz, brought things back to the old unsatisfactory condition. It is difficult, when we bear all this in mind, to reject Sir Henry de Villiers' sentence upon the Transvaal Government: 'Throughout the negotiations they have always been wriggling to prevent a clear and precise decision' (Cd. 369, p. 2).

This impression is strengthened by Mr. Reitz's next move. Sir W. Greene had been instructed to point out to the Transvaal Government the discrepancies which we have discussed in the preceding paragraphs. The reply from Mr. Smuts (August 25) was as follows:

'Very careful consideration was given to the terms of settlement which were embodied in the formal note of this Government, dated August 19, and I do not believe that there is the slightest chance of an alteration or amplification of those terms. It will be necessary, therefore, for you

**to arrive at your decision on the terms stated as they stand'** (C. 9521, p. 49).

There was scope, it will be remembered, for an alteration after August 19 to make the note more peremptory; there was no scope for conciliation.

A further point should be remembered. The reader will no doubt already have noticed the last paragraph in Mr. Reitz's supplementary telegram of August 21. It was a postscript full of point. The original proposal to Sir W. Greene (as initialled by the State Attorney) said that the Government pledged itself to carry the new law. This pledge was withdrawn by Mr. Reitz. Her Majesty's Government were reminded that the Transvaal Government had 'not consulted the Volksraad, and would only do so when an affirmative reply to its proposals has been received from Her Majesty's Government.' Great Britain was first to renounce her rights of subsequent interference, and Mr. Kruger would then introduce a Bill, which might or might not be passed, and which might or might not do what it professed. It will be seen from the foregoing analysis that the actual offer of the Transvaal Government, as collected from its statements of August 19, 21, and 25, was something widely different from the offer as made to Sir W. Greene on August 15. What exactly was its nature? Not an assured five years franchise, not increased representation of the Goldfields, not equal rights of new and old burghers in the election of State President and Commandant-General, but a mere expression of willingness to recommend these things to the Volksraad and people if the conditions attached were accepted. Together with this offer, such as it was, the Transvaal Government gave an assurance, also conditional, that they would 'always be prepared to take into consideration such friendly suggestions regarding the details of the Franchise Law as the Government, through the British Agent, might wish to convey to it.' All the proposals, particularly this last, it will be observed, were at once neutralized by the first condition attached, which was that Her Majesty's Government should agree that this

intervention should be the last in the internal affairs of the Republic. The Transvaal Government, to make it quite clear that they were really pledging themselves to nothing, sent a subsequent despatch to warn British Ministers that the Volksraad had not been, and would not be, consulted till the conditions had been accepted. The previous negotiations between the Transvaal State Attorney and Sir W. Greene, as reported by the latter, had led Mr. Chamberlain to hope for guarantees of a more substantial kind than these. Attention was called to this. It is very important to note what passed, bearing in mind as we do so (1) that it was being freely rumoured at the time that the concession regarding the election of President was to be neutralized by a change in the method of election; and (2) that the Government were seeking a settlement such as they could require the Uitlanders to accept on the Imperial guarantee.

Mr. Chamberlain, as we have seen, asked for an explanation of the divergencies analyzed above. On the same day, the despatch of July 27 (which had been sent by mail and held over for a while owing to the Greene pourparlers) was on Mr. Chamberlain's instructions presented to the Transvaal Government. That despatch (p. 150) fully recognised that the differences between the two Governments had been reduced, explained the necessity of having guarantees that any settlement should not be reduced in value by subsequent legislation, and agreed to a Conference on some points and to arbitration without the foreign element on others. With these friendly representations of the Government before them, what was the Transvaal's response on August 25? It was the curt statement given above declaring that the last word was Mr. Reitz's of August 19.

This was the state of things in which the British Government's reply to Mr. Reitz was drawn up; it was dated August 28, and sent by telegraph. As it is one of the essential documents, and its terms were afterwards the subject of much misunderstanding and misrepresentation, I quote it textually:

**'Her Majesty's Government have considered the proposals which the South African Government, in their notes to the British Agent of**

August 19 and 21, have put forward as an alternative to those contained in my telegram of July 31. Her Majesty's Government assume that the adoption in principle of the franchise proposals made by you (Sir Alfred Milner) at Bloemfontein will not be hampered by any conditions which would impair their effect, and that by proposed increase of seats for the Goldfields and by other provisions the South African Republic Government intend to grant immediate and substantial representation of the Uitlanders. That being so, Her Majesty's Government are unable to appreciate the objections entertained by the Government of the South African Republic to a Joint Commission of Inquiry into the complicated details and technical questions upon which the practical effect of the proposals depends. Her Majesty's Government, however, will be ready to agree that the British Agent, assisted by such other persons as you may appoint, shall make the investigation necessary to satisfy them, that the result desired will be achieved, and, failing this, to enable them to make those suggestions which the Government of the South African Republic state that they will be prepared to take into consideration. Her Majesty's Government assume that every facility will be given to the British Agent by the Government of the South African Republic, and they would point out that the inquiry would be both easier and shorter if the Government of the South African Republic will omit in any future laws the complicated conditions of registration, qualification, and behaviour which accompanied previous proposals, and would have entirely nullified their beneficial effect.

'Her Majesty's Government hope that the Government of the South African Republic will wait to receive their suggestions, founded on the report of the British Agent's investigation, before submitting a new Franchise Law to the Volksraad and the burghers.

'With regard to the conditions of the Government of the South African Republic :

'First, as regards intervention, Her Majesty's Government hope that the fulfilment of the promises made and the just treatment of the Uitlanders in future will render unnecessary further intervention on their behalf; but Her Majesty's Government cannot of course debar themselves from their rights under the Conventions, nor divest themselves of the ordinary obligations of a civilized Power to protect its subjects in a foreign country from injustice.

'Secondly, with regard to suzerainty, Her Majesty's Government would refer the Government of the South African Republic to the second paragraph of my despatch of July 13 (C. 9507, No. 8).

'Thirdly, Her Majesty's Government agree to a discussion of the form and scope of a Tribunal of Arbitration from which foreigners and foreign influence are excluded. Such a discussion, which will be of the highest importance to the future relations of the two countries, should be carreid on between the President and yourself, and for this purpose it appears

to be necessary that a further Conference, which Her Majesty's Government suggest should be held at Cape Town, should at once be arranged.

'Her Majesty's Government also desire to remind the Government of the South African Republic that there are other matters of difference between the two Governments which will not be settled by the grant of political representation to the Uitlanders, and which are not proper subjects for reference to arbitration. It is necessary that these should be settled concurrently with the questions now under discussion, and they will form, with the question of arbitration, proper subjects for consideration at the proposed Conference' (C. 9521, p. 49).

Readers who have so far followed the course of this history will, I think, agree with me that, *in substance*, this reply was what the occasion required. The substituted offer of August 19 was considered on its merits. The spirit of the statement in Parliament on July 20 was adhered to: the British Government endeavoured to find in the offer a basis of settlement. They received the offer in this spirit; but they made—as they were bound to make, and as Mr. Reitz, by his supplementary note of August 21, had forced them to make—several reservations. Thus, (1) while waiving the proposed joint inquiry, the British Government still required assurance that the proposed Franchise Law would in effect provide 'immediate and substantial representation of the Uitlanders.' This assurance they proposed to obtain by unilateral inquiry on the part of the British Agent, assisted by information supplied by the Transvaal Government. This alteration in the *form* of inquiry was devised in order to meet the Transvaal's objection to a joint inquiry as seeming to impinge upon its independence in internal affairs. To dispense with *all* inquiry was impossible. It was to be of the essence of a settlement that the British Government would recommend its acceptance by the Uitlanders, thereby practically guaranteeing its sufficiency and tying the hands of the Government against further intervention in that sphere. How could the British Government possibly take this course—especially after its disillusionment with regard to the seven years franchise—except after inquiry into the genuineness and efficiency of the new offer?[1] Sir Henry de

[1] The Uitlanders were naturally suspicious. In one of the magazines a piece of personal experience was given: 'My own case is that thirteen

Villiers, watching the course of the negotiations with judicial impartiality, appreciated this point when he afterwards wrote: 'The very best friends of the Transvaal feel that the Bill providing for the seven years franchise is not a fair or workable measure. It is this manœuvring to escape an unpleasant decision which has more than anything else driven the British Government into its present attitude' (Cd. 369, p. 6). The essence of the matter, be it once more remembered, was not the length of the franchise term. The British Government had already promised to consider whether even a seven years' term might not be acceptable. The essential thing was 'immediate and substantial representation.' This depended on several factors of which the length of the term was only one. The seven years' term in the actual law might just as well, as we have seen, have been seventy. It was possible that a five years' term might as well be fifty. The Government were bound, then, to insist on inquiry, no matter whether the terms proposed were five or seven years; in suggesting a different form of inquiry, in deference to susceptibilities on the other side, they showed a conciliatory spirit.

(2) Next we come to the Transvaal's conditions, dealing respectively with (*a*) future intervention, (*b*) suzerainty, and (*c*) arbitration. In connection with the first point, it is important to recall that there were three sets of controversies pending between the two Governments. There was controversy over the grievances of the Uitlanders; controversy over alleged breaches of the Convention of 1884; and controversy on other points (such as the treatment of Her Majesty's coloured subjects), which did not come under either of the former heads. The proposed settlement on the franchise question would, it was hoped, terminate the first

years ago I signed the Field Cornet's book on an agreement that I should receive the franchise after four years, and how did the Government keep its promise? It would be the height of credulity if, after having been deprived of my just rights for nine years, I should again trust these same people for five or seven years, and even if they were honest I would thus have to have lived twenty years in the country before becoming a citizen.'

controversy, but it would not touch the second or third. This consideration explains the next reservation which the British Government had to make. They hoped that 'the fulfilment of the promises made, and the just treatment of the Uitlanders in future, will render unnecessary any further intervention on their behalf'; but at the same time they could not 'debar themselves from their rights under the Conventions, nor divest themselves of the ordinary obligations of a civilized Power to protect its subjects in a foreign country from injustice.'

(3) With a view of removing as many occasions as possible of future interference, the Government proposed in the next place that controversies under the third head enumerated above (*i.e.*, 'Cape Boys' question, etc.) should be referred to a conference.

(4) As for controversies on the interpretation of the Articles of the Convention of 1884, the British Government agreed to arbitration.

(5) Lastly, on the question of suzerainty they referred to 'the second paragraph of the despatch of July 13' (No. 8 in C. 9507). That paragraph states that 'Her Majesty's Government concur generally in the views expressed in your despatch' (Lord Milner's of May 17, No. 7 in C. 9507), 'and have no intention of continuing to discuss this question with the Government of the Republic, whose contention that the South African Republic is a Sovereign International State is not, in their opinion, warranted either by law or history, and is wholly inadmissible.' Lord Milner's view was that discussion on the term 'suzerainty' was futile, but that the claim advanced by the Transvaal under cover of that controversy was vital and inadmissible. As far as was possible, the Government agreed to Mr. Reitz's condition that 'Her Majesty's Government will not further insist on the assertion of the suzerainty, the controversy on the subject being allowed tacitly to drop.' They dropped the word, but did not and could not allow the counter-claim of the Transvaal to stand by default.

In substance, then, the British despatch of August 28 was conciliatory and sound. Its *form* is open to criticism. That

its wording was neither felicitous nor transparently clear is obvious from the misunderstandings and misrepresentations which gathered round it. With the most widely-spread of these I deal in a later chapter (XXVIII.). The despatch was in effect, as Lord Milner said (p. 57 in C. 9530), 'a qualified acceptance' of the offer of August 19 and 21. Mr. Chamberlain might well have expressly said so. It is impossible to be too explicit in such documents. The absence of a clear statement to the effect that the offer was accepted subject to certain qualifications enabled the Transvaal Government and others to say that the offer had been refused. Again, it was unnecessary, and therefore a mistake, to say that Her Majesty's Government adhered to their rights under the Conventions. The wording was unnecessary, for 'conventional rights'—a proper legal phrase—would have turned the point. The thing was unnecessary, for the Convention of 1884 and 'the ordinary obligations of a civilized Power' gave the British Government all the rights it needed for protecting its subjects. The word 'Conventions' enabled certain over-subtle persons to declare that the British Government was 'going to war for a consonant.'[1] Lastly, it was a mistake to emphasize 'other matters of difference' by putting them in a separate paragraph at the end of the despatch. The point should have been made incidentally, as in the analysis given above. The paragraph as it stood enabled people to say that Mr. Chamberlain had 'at the last moment sprung new questions upon the Transvaal,' or had 'raised his terms.' The statement was not correct. The questions had been in the controversy all the time. No new terms were introduced, except in the direction of conciliation. No suggestion had ever been made that the settlement of the Franchise would settle everything.[2] But though the statement about 'raising the

[1] See below, p. 226.

[2] Thus, on June 26, Sir William Greene, carrying out Lord Milner's instructions, addressed to the State Secretary of the South African Republic these, among other, words: 'His Excellency desires me to say that, as he pointed out to the President at Bloemfontein, he considers that the question of finding a remedy for the grievances of the

terms' was entirely fallacious, the way in which Mr. Chamberlain put his reminder was likely to lead careless people astray.

The Government had a good case, but Mr. Chamberlain did not at this stage contrive to put it in the clearest or most convincing form. On the day before the despatch of August 28 was sent, he delivered an injudicious speech at Birmingham. He was 'loath to say much lest I do harm.' It was a pity that he said anything. What he said was as follows:

'We have been, as you know, for the last three months negotiating with President Kruger. We have made perhaps some little progress; but I cannot truly say that the crisis is passed. Mr. Kruger procrastinates in his replies. He dribbles out reforms like water from a squeezed sponge, and he either accompanies his offers with conditions which he knows to be impossible, or he refuses to allow us to make a satisfactory investigation of the nature and character of these reforms. . . . The issues of peace and of war are in the hands of President Kruger and of his advisers. . . . Will he speak the necessary words? The sands are running down in the glass. The situation is too fraught with danger; it is too strained for any indefinite postponement.'[1]

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Uitlanders is the burning question of the moment, and that this has to be disposed of before other matters can be properly discussed. The adoption by the Government of the South African Republic of measures calculated to lead to an improvement in the position of the Uitlanders would so improve the general situation that outstanding differences between the two Governments could be considered in a calmer atmosphere, and would be more capable of adjustment' (C. 9518, p. 6).

[1] The delays, it is fair to remember, were causing much distress. On August 31, Lord Milner telegraphed: 'I am receiving representations from many quarters to urge Her Majesty's Government to terminate the state of suspense. Hitherto I have hesitated to address you on the subject, lest Her Majesty's Government should think me impatient. But I feel bound to let you know that I am satisfied, from inquiries made in various reliable quarters, that the distress is now really serious. The most severe suffering is at Johannesburg. Business there is at a standstill; many traders have become insolvent, and others are only kept on their legs by the leniency of their creditors. Even the mines, which have been less affected hitherto, are now suffering owing to the withdrawal of workmen, both European and native. The crisis also affects the trading centres in the Colony. In spite of this, the purport of all the representations made to me is to urge prompt and decided action, not to deprecate further interference on the part of Her Majesty's Government.

This speech enabled people to say that Mr. Chamberlain imperilled a difficult situation by offensive words. It is easy for us now to see the occasion, if not the justification, that Mr. Chamberlain had. Mr. Kruger's conduct of the negotiation disgusted even so friendly an observer as Sir Henry de Villiers by its procrastination and wriggling. Indeed, Sir Henry's letters of July 31 and September 28 are curiously similar in tone to Mr. Chamberlain's speech of August 27. But it is one thing to call a man a wriggler in a private letter to a mutual friend; another to call him a squeezed sponge in a public speech. Besides, Mr. Chamberlain was in charge of delicate negotiations, and as long as you are at work on diplomatic lines, the art of diplomacy should be exercised with its highest skill. It was not enough for Mr. Chamberlain to know that President Kruger was in the wrong. His immediate business was to put the President palpably and inextricably in the wrong. Mr. Chamberlain thought, I suppose, to frighten Mr. Kruger; but the President was in no mood whatever to be frightened. It may be quite right, while you are negotiating for a peaceful settlement, to prepare for war; it is very seldom other than wrong to talk about war. The Government talked too much and prepared too little. These considerations do not, however, touch the main course of the negotiations. It would be an insult to Mr. Kruger to suppose that he went to war because Mr. Chamberlain spelt Convention with an 's' and called him a 'sponge.' Nevertheless, these things were not without importance. They did not alter the course of the negotiations, and they do not affect the

British South Africa is prepared for extreme measures, and is ready to suffer much in order to see the vindication of British authority. It is a prolongation of the negotiations, endless and indecisive of result, that is dreaded. I fear seriously that there will be a strong reaction of feeling against the policy of Her Majesty's Government if matters drag. Please to understand that I invariably preach confidence and patience—not without effect. But if I did not inform you of the increasing difficulty in doing this, and of the unmistakable growth of uneasiness about the present situation, and of a desire to see it terminated at any cost, I should be failing in my duty' (C. 9521, p. 51).

rights and wrongs of the case; but they helped to spread misunderstandings, and they contributed something to the misrepresentation of the British attitude.

Returning to the main current of our story, we may conclude this chapter by a summary of the situation of affairs on August 28. The British Government had proposed a joint inquiry into the Seven Years Franchise Law. The Transvaal Government substituted proposals for a Five Years Law, coupled with certain conditions. To this substituted offer the British Government gave the qualified acceptance which we have been discussing in the preceding pages. The delays were becoming dangerous, but there still seemed a fair chance of a peaceful settlement. Regarded as a contribution to this end, the proposals of the British despatch of August 28 may be thus summarized:

1. Grievances of the Uitlanders to be settled by Five Years Franchise Law, if British Agent reported after inquiry that it would give immediate and substantial representation.

2. Disputes on interpretation of clauses of the Convention of 1884 to be settled by a court of arbitration.

3. Remaining disputes to be referred to a Conference between the President and the High Commissioner.

To these counsels of conciliation the British Government adhered during the critical days which were to follow. At any time Mr. Kruger might have had peace by accepting them.

It was the earnest hope of his warmest friends in this country that he would do so. Especially were they anxious to see him prove his good faith by assenting to inquiry. 'I hope,' said Mr. John Morley, 'that the South African Republic—I do not know whether they are going to do so or not—will go into the Conference which is now pressed upon them, not because, Heaven knows! we mean to swallow them up, or to let raiders swallow them up, but to prevent the chance of all those wrongs and mischiefs which might befall them; and I hope they will go into the Conference, and that they will strip the franchise which they are now willing to concede of every ambiguous term and every

dubious restriction. To do less is to play into the hands of their enemies, whoever and wherever they may be, and may endanger the best interests of their own State and that great territory of which their own State is a part."[1]

What the Transvaal Government actually did we shall see in the next chapter.

[1] Speech at Arbroath, September 5. The reply of the Transvaal, dated September 2, was not published till September 7.

# CHAPTER XIX

## THE OFFER WITHDRAWN BRITISH DESPATCH OF SEPTEMBER 8

Transvaal despatch of September 2—Five years offer withdrawn—Reversion to seven years law—Objections to inquiry—Postscript of September 8 agreeing to inquiry—Cabinet Council on September 8—British reinforcements ordered from India—Despatch of September 8—Analysis of its terms—Impossibility of reverting to seven years law—'Suzerainty' tacitly dropped—Explanations with regard to future intervention—Arbitration agreed to—The language question—Inquiry into five years franchise required—Summary of the British proposals.

'PRESIDENT KRUGER'S half-crown,' as we called it at the beginning of the last chapter, was neither absolutely accepted nor absolutely rejected. 'I think I shall be able to take it,' was in effect the reply; 'but I must look at it first.' 'As you will not take it outright,' came the retort, 'I withdraw it, and we will go back to the florin.'

That was in substance the Transvaal reply to the British terms of August 28. But we must have the full text. It was dated September 2:

'I have the honour to acknowledge Your Honour's despatch of 30th August,[1] with the emendation thereof of 1st September (correcting an error in decoding of telegram). This Government has observed with the deepest regret that Her Majesty's Government have not been able to decide on accepting the proposal for a five years franchise and extension of the representation of the Witwatersrand, with the conditions attached thereto, set forth in its notes of 19th August and 21st August, the more so that from semi-official discussions, which have been brought to the

[1] Dated August 28, but received by the Transvaal Government on August 30.

knowledge of Her Majesty's Government, they had thought that they might infer that their proposal would have been acceptable to Her Majesty's Government. As a consequence of that communication, this Government considers that its proposal has lapsed, whereby also lapses the necessity for laying it before the representatives of the people and the people.

'2. This Government wishes to remark, with reference to observation of the Secretary of State for the Colonies, that Her Majesty's Government is unable to perceive the objections entertained by Government of South African Republic against a joint commission of inquiry as proposed, that the objections to the invitation as given in the telegraphic despatch of 2nd August have already been set forth in a communication dated 12th August (sent to your Honour yesterday).

'3. As regards a unilateral (in place of a joint) inquiry as now proposed by Her Majesty's Government, this Government wishes to make known its readiness, wherever it may appear that the existing franchise law can be made still more effective, to lay before the Volksraad proposals for altering or making it clearer. If they can be of assistance to Her Majesty's Government with any information or explanation, they are always ready to furnish this, though it appears to it that the findings of a unilateral Commission, especially when arrived at before the working of the law has been duly tested, would be premature, and thus probably of little value.

'4. Passing now to the discussion of the observations of Her Majesty's Government on the conditions attached by this Government to the proposal, which has now lapsed in consequence of the non-acceptance by Her Majesty's Government of these stipulations, the Government wishes to observe—(*a*) That with reference to the question of intervention, this Government has neither asked nor intended that Her Majesty's Government should abandon any right which it really might have, on the ground either of the Convention of London, 1884, or of international law, to intervene for the protection of British subjects in this country. (*b*) That as regards the assertion of suzerainty, its non-existence has, as this Government venture to think, already been so clearly stated in its despatch of 16th April, 1898, that it would be superfluous to repeat here the facts, arguments, and deductions stated therein; it simply wishes to remark here that it abides by its views expressed in that despatch.

'5. With reference to a court of arbitration, this Government is pleased to see that Her Majesty's Government is ready to enter on negotiations touching the scope and form of such, though it is not clear to it (*a*) whether Her Majesty's Government is willing that burghers of Orange Free State should be eligible for appointment as members of such a court; (*b*) what subjects should be referred for the decision of such court; (*c*) what subjects Her Majesty's Government consider should not be submitted to such court: Her Majesty's Government state that there are such points without specifying them. The object (? aimed)

at by this Government—namely, the assurance of a final settlement of all points whether now in dispute or arising hereafter—might, it considers, be altogether frustrated by these limitations.

'6. With reference to the suggestion for holding another Conference, this Government will await further information from Her Majesty's Government before it can go further into the matter.

'7. Moreover, this Government begs to remark that the proposal made by it with reference to the franchise and the representation of the Uitlanders was extremely liberal, and, in fact, as regards the representation, went farther than the High Commissioner contemplated at the Bloemfontein Conference. The stipulations attached by this Government to that proposal were most reasonable, and demand on the side of Her Majesty's Government no abandonment of existing rights, but solely the obtaining of the assurance that Her Majesty's Government would in future, as regards this Republic, simply abide by the Convention of London, 1884, and the generally recognised rules of international law; moreover, that on points of difference a principle should be brought into practice whose reasonableness and justice are recognised by all civilized States, and of which this Government understand that Her Majesty's Government is a strong advocate.

'8. This Government could never have anticipated that the answer of Her Majesty's Government to their proposal would be unfavourable, and they can only continue to cherish this hope that the terms of both this and former communications will give an opening for a way through which a good understanding and a solution of existing differences may be arrived at.

'9. Though it can in no wise abandon any of its rights, this Government would, nevertheless, be glad to convince and satisfy Her Majesty's Government that the franchise law now passed and these extension (?) of the representation with four new seats will immediately, if taken advantage of, give a substantial representation to the Uitlander population, and that for the rest it is its intention to continue working with Her Majesty's Government on a friendly footing.

'10. This Government, having regard to the difference that in their opinion exists between the invitation as put forward in the telegraphic despatch of August 2 and that conveyed in the despatch of July 27 from the Secretary of State for the Colonies, and further to the fact that in the last named it is stated that the most suitable way of dealing with points involving complicated details and questions of a technical nature would be to discuss them in the first place by delegates appointed by both Governments, who should report the result of their deliberations, and submit their recommendations, to the two Governments respectively, and assuming that it is not intended thereby to interfere in the internal affairs of this Republic or to establish precedent, but simply to gain information and elucidations whether the measures already taken are effectual or not, and, if not, to show this Government where such is the case, this Govern-

ment would be glad to learn from Her Majesty's Government how they propose that the Commission should be constituted, and what place and time for meeting is suggested. While this Government wishes to confine itself for the present to the above point as regards the answer to the despatch of July 27, it proposes to send on shortly the further reply as already intimated yesterday' (C. 9521, No. 49).

The communication dated August 12, referred to above,[1] was a lengthy statement of the reasons why the Transvaal Government could not consent to the proposed joint inquiry. Such an inquiry would be an infringement of the independence of the Republic.

The answer, then, to the British qualified acceptance of the proposals of August 19 and 21 was the withdrawal of those proposals by the despatch, given in full above, supplemented by an earlier but withheld despatch, objecting to inquiry into the seven years franchise law.

What else was there in the despatch of September 2? It is hard to discover. Mr. Chamberlain's despatch of August 28 may have been not perfectly clear, but it was as sparkling daylight compared to the nebulous verbosity of Mr. Reitz on September 2. The five years offer was altogether withdrawn. Was even the last British proposal but one accepted—the proposal, namely, for a joint inquiry into the seven years law? On the one hand, there was the delayed despatch of August 12 arguing against such inquiry. On the other hand, there was paragraph 10 of the despatch of September 2, which, read in conjunction with the other despatch, appeared to be merely otiose or dilatory. Some days later (September 8), and when the next British despatch had been already drafted, a postscript was sent to be added to paragraph 10, saying that the Transvaal Government were quite willing 'to enter such a Conference' (see C. 9530, p. 1).

One thing, however, stood out with perfect and painful clearness from the ambiguities of the Transvaal Government's reply, and that was the withdrawal of the offer of August 19. This was the decisive point, and the conduct of that Government in thus playing fast and loose with its

[1] It will be found at pp. 29-31 of C. 9530, and Lord Milner's telegraphic summary of it at p. 54 of C. 9521.

proposals disheartened many of its warmest sympathizers. 'We are now in this position,' said Mr. John Morley, 'that the Transvaal, in my judgment, cannot withdraw from the five years franchise' (Speech at Manchester, September 15). That, however, was precisely what the Transvaal had done. It looked as if Mr. Kruger were bent, after all, on forcing things to extremities. It was necessary for the British Government to consider seriously that possibility. But, at the same time, everyone hoped that on second thoughts Mr. Kruger would retrace so obviously false a step.

It was in this spirit and in this hope that the British Government penned its next despatch. This was dated September 8. It was drawn up after a Cabinet Council, held earlier in the day, at which, also, it was decided to move troops from India to Natal and to reinforce the Cape garrisons from England. These reinforcements were shown, by their very limited extent, to be defensive, not aggressive. They were enough to show the intention of the British Government to make provision against eventualities, but not enough to take the offensive. The pacific desires of Her Majesty's Government were made perfectly clear by the tenor of its note of September 8, a note which was received with almost universal satisfaction in this country. Its terms were as follow:

'Her Majesty's Government understand the note of the South African Republic Government of 2nd September to mean that their proposals made in their note of the 19th August are now withdrawn because the reply of Her Majesty's Government contained in their note of the 30th of August with regard to future intervention and suzerainty is not acceptable.

'Her Majesty's Government have absolutely repudiated the view of the political status of the South African Republic taken by the Government of the South African Republic in their note of the 16th April, 1898, and also in their note of the 9th May, 1899, in which they claim the status of a Sovereign International State, and they are therefore unable to consider any proposal which is made conditional on the acceptance by Her Majesty's Government of these views.

'It is on this ground that Her Majesty's Government have been compelled to regard the last proposal of the Government of the South African Republic as unacceptable in the form in which it has been presented.

'Her Majesty's Government cannot now consent to go back to the proposals for which those of the note of 19th August are intended as a substitute, especially as they are satisfied that the law of 1899 in which these proposals were finally embodied is insufficient to secure the immediate and substantial representation which Her Majesty's Government have always had in view, and which they gather from the reply of the Government of the South African Republic that the latter admit to be reasonable. Moreover, the presentation of the proposals of the note of the 19th of August indicates that the Government of the South African Republic have themselves recognised that their previous offer might be with advantage enlarged, and that the independence of the South African Republic would be thereby in no way impaired.

'Her Majesty's Government are still prepared to accept the offer made in paragraphs 1, 2, and 3 of the note of the 19th August taken by themselves, provided that the inquiry which Her Majesty's Government have proposed, whether joint—as Her Majesty's Government originally suggested—or unilateral, shows that the new scheme of representation will not be encumbered by conditions which will nullify the intention to give substantial and immediate representation to the Uitlanders. In this connection Her Majesty's Government assume that, as stated to the British Agent, the new members of the Raad will be permitted to use their own language.

'The acceptance of these terms by the Government of the South African Republic would at once remove the tension between the two Governments, and would in all probability render unnecessary any further intervention on the part of Her Majesty's Government to secure the redress of grievances which the Uitlanders would themselves be able to bring to the notice of the Executive and the Raad.

'Her Majesty's Government are increasingly impressed with the danger of further delay in relieving the strain which has already caused so much injury to the interests of South Africa, and they earnestly press for an immediate and definite reply to their present proposal.

'If it is acceded to they will be ready to make immediate arrangements for a further Conference between the President of the South African Republic and the High Commissioner to settle all the details of the proposed Tribunal of Arbitration, and the questions referred to in the note of the 30th August, which are neither Uitlander grievances nor questions of interpretation, but which might be readily settled by friendly communications between the representatives of the two Governments.

'If, however, as they most anxiously hope will not be the case, the reply of the South African Republic Government is negative or inconclusive, Her Majesty's Government must reserve to themselves the right to reconsider the situation *de novo*, and to formulate their own proposals for a final settlement' (C. 9521, p. 64).

This despatch is so important, that we must spend some

little time in drawing out its full significance. On the one hand, the British Government necessarily rejected the idea that they should now go back to the Franchise Law of July and to the proposals for an inquiry into that, proposals for which the Transvaal offer of August 19 was intended as a substitute. The making of that substituted offer showed that the Transvaal itself recognised the insufficiency of the earlier scheme. Examination of the earlier scheme, which had since been possible in detail, showed conclusively that the Seven Years Franchise Law was a sham. The inquiry which Mr. Chamberlain had proposed at the end of July was an inquiry into the effect of an honest Seven Years Franchise Act for the general body of the Uitlanders. No such Act had, in fact, been passed. The very best friends of the Transvaal had, as Sir Henry de Villiers said, thrown it over as neither a fair nor a workable measure. An inquiry at this time of day, when the Transvaal Government itself had proposed to substitute a new Five Years Law, into the existing and exploded Seven Years Law, would have been trifling with the subject and trifling with the country.

It was trifling with the British Government on the part of Mr. Kruger and his advisers to make such a proposal. The British Government pursued, however, a conciliatory course, and recapitulated their suggestions of August 28, endeavouring at every point to meet the objections of the other side. Thus, with regard first to the Transvaal's three conditions of August 21, it was explained that the controversy about 'suzerainty' turned now solely on the Transvaal's claim to the status of a Sovereign International State. That claim could not be allowed. As Sir William Harcourt said: 'You cannot claim the position of a Sovereign International State when you have surrendered the control of your foreign affairs' (New Tredegar, September 20, 1899).

But while resisting this untenable claim, there was no longer any mention of suzerainty. The objectionable word was allowed tacitly to drop. With regard to future non-intervention, the British Government renewed their former explanations, and, in the matter of arbitration, they expressed

their readiness to make immediate arrangements for hastening the establishment of a tribunal.

It is difficult to see how the British Government could possibly have gone further than it did in the despatch of September 8 to meet the conditions which on August 21 the Transvaal Government had attached to its offer of a five years franchise. It is difficult also to see why the Transvaal Government should not be satisfied, except on the hypothesis that something more was wanted than appeared on the surface, or that the status of a Sovereign International State was of the essence of its case. Did they want arbitration for its own sake? If so, they were now in a fair way to obtain it immediately. Or did they only want it in such a form as would oust Great Britain from her old position in South Africa? The subsequent history will enable us to judge.

A similar question inevitably suggests itself in connection with the subject of Franchise Reform. The British Government in the despatch now under consideration adhered to the Transvaal's offer of August 19, coupling with it one condition and one understanding. Let us deal with the latter first. 'Her Majesty's Government assume that, as stated to the British Agent, the new members of the Raad will be permitted to use their own language.' The reasonableness of this proviso is obvious. The dual arrangement which we asked from the Transvaal in favour of the English (and other foreigners) exists in Cape Colony in favour of the Dutch. It exists also in Canada.[1] Mr. Smuts, the State Attorney, admitted the reasonableness of the point, and Sir W. Greene took care to put it in a form the most acceptable to the Transvaal. Sir W. Greene's account of the conversations is this:

'We were both thoroughly in accord in the matter, and I pointed out to Mr. Smuts that it would be pure waste of time to give the Uitlander com-

[1] Mr. Kruger would not grant it, and this was one of the causes (though a minor and subsidiary one) of the war. Yet one of the points upon which Commandant Botha was anxious to obtain assurances from Lord Kitchener in the abortive peace negotiations was that the Dutch language would be allowed (Cd. 528, p. 2).

munity representation in the Volksraad and compel their members to speak in Dutch or else hold their peace. How, I asked, could prominent Uitlanders like Mr. Rouliot, a Frenchman, Mr. Albu, a German, or one of our own people, represent his views if he were to be restricted to the use of a language of which nine-tenths of the Uitlanders were completely ignorant? I said that, however much I myself wished to see English and Dutch on an equal footing in the Transvaal, as in the Cape Colony, I would not put the matter on that ground for the sake of appearances, but merely base my case on the general ground that it was ridiculous to elect an Uitlander of whatever nationality for the Volksraad and expect him to speak a strange tongue. Mr. Smuts did not in the least dispute this argument, and, in fact, when he left me to lay the various points of difference before the Executive Council, I had no suspicion, as far as his remarks were any guide, that his opinions were not shared by his Government, which views I naturally presumed that, as a highly placed official, he was empowered to express. Personally, it was just on this very point —not to mention the question of the Presidential elections—that I myself anticipated a hitch, and I was therefore all the more struck by the manner in which Mr. Smuts fell in with the reasonableness of my remarks' (C. 9530, p. 23).

Mr. Smuts did not dispute that those were his views. He only alleged that he had 'said it would do no good to raise the point, as it would probably settle itself' (C. 9530, p. 24). Sir W. Greene denied this. The safest and most charitable conclusion is that Mr. Smuts had admitted more in conversation than his Government were subsequently prepared to endorse. Why did they throw him over on this matter? Why did they make a point of refusing so inherently reasonable an arrangement? Was it a sign of a sincere intention to do justice by the Uitlanders, and of a genuine desire to find a path of peace? Or was it rather a sign of quite other things? Sir Henry de Villiers, at least, seems to have felt no doubt about the answer. 'The manner,' he said, 'in which the latest proposals were rejected does not give me much ground for hope. Take such a reasonable proposal as that members should be allowed to address the Volksraad in the English language. Surely it ought not to have been rejected in such a summary, I might almost say contemptuous, manner' (Cd. 369, p. 6).

The express condition attached by the British Govern-

ment to its acceptance of a five years franchise scheme was equally reasonable. It was 'that the inquiry which Her Majesty's Government have proposed, whether joint (as Her Majesty's Government originally suggested) or unilateral, shows that the new scheme of representation will not be encumbered by conditions which will nullify the intention to give substantial and immediate representation to the Uitlanders.' This condition was, as we have shown, absolutely necessary; but undoubtedly it was a touchstone. It was likely to be accepted if the Transvaal Government sincerely desired to deal frankly and honestly with the Uitlander question. Its refusal could only be consonant with a different hypothesis.

After this analysis, it may be convenient to bring the despatch of September 8 together again and summarize its substantive proposals. The Boers, it has often been said, were forced into war by threats on their independence, by a continual raising of Great Britain's terms, by her 'shouting for blood and lust of robbery' (Reitz). What, then, were the actual proposals made by this murderous country for removing the tension of the two Governments? They were these:

*For the solution of Uitlander grievances:* Substantial and immediate representation on the terms last proposed by the Transvaal, under the guarantee of an inquiry, either joint or unilateral (whichever the Transvaal preferred).

*For the solution of disputes on the interpretation of the Convention:* A tribunal of arbitration.

*For the solution of remaining disputes:* A conference between the President and the High Commissioner.

Such were the terms on which President Kruger might in September, 1899, have found a peaceful settlement. The decisive word rested once more with him. It is true that even refusal of the above terms would not necessarily involve any rupture. The British Government neither now nor subsequently issued any ultimatum; they only said that if a solution of outstanding difficulties by means of the franchise, etc., were now rejected, they would have to fall back

on what Lord Milner had called 'Policy No. 2'—the policy, that is, of formulating a detailed list of proposals necessary in the view of the British Government for the protection of British subjects and British interests in South Africa. That policy would necessarily have raised many contentious points. It was therefore with the utmost anxiety that all friends of peace awaited Mr. Kruger's word.

# CHAPTER XX

## REVERSION TO THE SEVEN YEARS SCHEME—TRANSVAAL DESPATCH OF SEPTEMBER 16

**Favourable reception of the British proposals in this country—Mr. Courtney's opinion: 'A rebuke to fire-eaters'—Mr. Morley's: 'The Boers could not withdraw from the five years'—Similar opinions in 'pro-Boer' press—British Government extends the time for a reply—Transvaal despatch of September 16—Charge of breach of faith—British reply on this point—British proposals of September 8 rejected—What were Mr. Kruger's reasons?**

THE despatch of September 8 left the Colonial Office at midnight. It was delivered to the Transvaal Government on September 12. While we leave that Government in consideration of it, let us see how it affected opinion in this country. It was published in the foreign papers on September 13, and in our own on September 14. It produced a great effect. 'Firm but moderate' was the general opinion about it. Mr. Courtney, one of the oldest and staunchest upholders of the Boer cause, was particularly loud in its praise. He liked it in itself, and he liked it also because he saw in it—I know not where—a rebuke to Lord Milner. Speaking at Manchester on September 15, Mr. Courtney 'hailed with satisfaction the latest despatch of Mr. Chamberlain. It was a rebuke to the fire-eaters, and a rebuke, most of all, to one whom he must designate as a lost man, a lost mind—he meant Sir Alfred Milner. (Applause, in which Mr. Morley prominently joined.) He was glad of the last despatch of Mr. Chamberlain, and wished Paul Kruger could control his Boers sufficiently to induce them to accept the proposals of that document.'

Mr. Morley spoke to like effect. This was the occasion on

which he said that the Boers 'could not withdraw from the five years franchise':

'There is no difference among us as to the necessity of redressing the grievances from which what are called the Uitlanders are at this momen suffering in the South African Republic. . . . There is no difference between us as to the expediency and, if you please, the necessity of urging the South African Republic to give a liberal and a substantial and an immediate franchise. . . . We are to-day at a very critical and a very anxious moment. As I understand, no reply has yet been received from the Government of the South African Republic to the last despatch. . . We must be careful and we must be patient. Not too patient—I do not ask it—but let us see now how things have gone. . . . The Government says what we have to do is to insist upon the franchise being granted—a vote being granted—to the Uitlanders in the Transvaal Republic after five years' residence. Very well, I agree. But now the thing is not ended. Let us see where we are. We are now in this position, that the Transvaal, in my judgment, cannot withdraw from the five years franchise. Her Majesty's Government says we must now have a conference to examine whether that five years franchise is not fettered and hampered by restrictions. I don't wish to quarrel with the Government in the demand. . . . If I were myself the Government of the South African Republic, I would not draw back from the five years franchise under conditions which would make that franchise what the Government demands—the immediate means of representation in the South African Republic Assembly. I would go into the Conference; I would argue these things out. . . . If I was the South African Republic, I would take care to make it clear that I was going to grant this five years franchise without dubious terms. When they do that, when they make that clear, then those in this country who are for equity, for fair play, who are for judging a small, weak Republic of peasant farmers with the same spirit of conciliation and justice with which they would deal with the Government of Russia or the Government of Germany, will recognise that our cause is peace.'

The newspapers were as emphatic as Mr. Courtney in praise of the despatch of September 8, as instant as Mr. Morley in urging Mr. Kruger to accept its terms.[1]

[1] 'We feel in every line of the despatch,' said the *Daily Chronicle* (September 14), 'the moderating influence of the counsels which were brought to bear last week. . . . Mr. Kruger has been offered terms reasonable in themselves, and containing, so far as we can see, no ulterior danger to the independence of his State. We earnestly trust that he may accept them while there is time.' The *Westminster Gazette* trusted that the Boers 'will see that their wisest course is to come to a settlement, which, apart from the question of suzerainty, is pretty much what they

Mr. Morley, as we have seen, urged 'patience, but not too much of it,' on the part of the British Government in awaiting the Transvaal's reply. The 'lost mind' of Lord Milner had anticipated his mentor's advice. The despatch was delivered to the Transvaal Government on Tuesday, September 12. The British Agent had asked for a reply by mid-day on Thursday the 14th. On hearing of this, the High Commissioner instructed him to inform the Transvaal Government to the following effect:

'That while Her Majesty's Government are most anxious for an early reply, as appears from their note, they did not instruct you to fix a definite limit of time; that the request for a reply by Thursday next was your own suggestion; and that having been informed of it by you, I desire the Government of the South African Republic to be made aware that, if they consider the time named by you insufficient, I should not interpret the request for an immediate reply made by Her Majesty's Government as necessitating a reply within the precise limit which you fixed' (C. 9530, p. 2).

The High Commissioner's action was approved by the Secretary of State, and the Transvaal Government had thus full time for consideration.

Unhappily, the longer time for reflection added no force to counsels of peace and prudence. The Transvaal Government's reply was long, but on the essential points it was explicit and emphatic. It refused absolutely the proposals made in the British despatch of September 8. Here is the full text:

'SIR,—South African Republic Government have had the honour to acknowledge receipt of your note 12th September in answer to their note 2nd September.

themselves offered less than a month ago'; and declared that upon President Kruger's answer to this 'moderate and reasonably-worded despatch,' 'the strength of the cause of his friends in this country will very largely, if not entirely, depend' (September 14). The *Star* regarded the despatch as 'dignified without being offensive,' and its demands such that 'by its own confession the Boer Government is not unable to give.' It believed that President Kruger 'would be infinitely wrong to meet it in any other spirit,' and added, 'that he will do so we do not think for a moment' (September 14 and 15).

'In answer, this Government wishes to state that it learns with a feeling of deep regret that it must understand that Her Majesty's Government withdraws from the invitation sent in your letter of the 23rd of August and accepted by this Government, and substitutes in its place an entirely new proposal.

'The proposal which has now lapsed, contained in the letters of this Government of 19th August and 21st August, was induced by suggestions given by British Agent to State Attorney, and these were accepted by this Government in good faith, and on express request, as equivalent to an assurance that the proposal would be acceptable to Her Majesty's Government. It was in no way the object of this Government, either then or now, to make any needless recapitulations of its contention about its political status as an independent State as defined by Convention of London, 1884, but only to try to put an end to the state of tension by meeting Her Majesty's Government upon a proposal which it supposed to be constituted, both in spirit and in form, in such a way as it was given to understand to be satisfactory to Her Majesty's Government.

'This Government cannot disguise from itself that in making the proposals contained in its note of 19th August, it probably ran the danger not only of its being disclaimed by South African Republic Volksraad and people, but also that its acceptance might affect the independence of State by, as therein proposed, giving an immediate vote in the Legislature of the State to a large number of inpouring Uitlanders, but it set against that the continuous threatening and undoubted danger to its highly-prized independence, arising from claim of suzerainty made by Her Majesty's Government, from the interference of that Government in the internal affairs of this Republic, and from the want of an automatically-working manner of regulating differences between Her Majesty's Government and this Government, and was in consequence prepared to recommend to South African Republic Volksraad and to people to run the danger attached to offer made, in order to avoid the certainty of the greater danger.

'Inasmuch, however, as the conditions attached to the proposal, the acceptance of which constituted the only consideration for its offer, have been declared unacceptable, it cannot understand on what grounds of ustice it can be expected that it should be bound to grant the rest, and with a view to the assurance given by Secretary of State for Colonies that he would not consider the said offer as a refusal in answer to his invitation to a joint inquiry based upon existing franchise law and scheme of representation for Witwatersrand Goldfields, it cannot understand why, as soon as this invitation was accepted (as was done by this Government in its note 2nd September), Her Majesty's Government declares that it cannot any longer agree to the inquiry on this subject, and for purposes which that Government itself proposes. It is also not clear to this Government on what grounds Her Majesty's Government, after having recently by means of its invitation intimated that it could not declare

without an inquiry whether franchise law and resolutions taken about representation would afford immediate and substantial representation to the Uitlanders in South African Republic, is tò-day in a position, without having made any inquiry so far as this Government is aware, before the law can have been tested in its operation, to declare that the measure just mentioned is insufficient for the object contemplated.

'It trusts that it will clearly appear from the foregoing that Her Majesty's Government is under a misunderstanding, if it supposes that this Government has ever recognised that it has considered the lapsed proposal contained in letter 19th August, without the conditions imposed therein and repeated in the note 21st August, as a reasonable proposal, or made it as a proposal, and still less that this Government was or is of opinion that its earlier proposal could be extended with advantage to the Republic without observance of those conditions, or that the Republic would not suffer any violation of its independence.

'However earnestly this Government also desires to find an immediate and satisfactory course by which existing tension should be brought to an end, it feels itself quite unable as desired to recommend or propose to South African Republic Volksraad and people the part of its proposal contained in paragraphs 1, 2, and 3 of its note 19th August, omitting the conditions on the acceptance of which alone the offer was based, but declares itself always still prepared to abide by its acceptance of the invitation [of] Her Majesty's Government to get a Joint Commission composed as intimated in its note of 2nd September.

'It considers that if conditions are contained in the existing franchise law which has been passed, and in the scheme of representation, which might tend to frustrate object contemplated, that it will attract the attention of the Commission, and thus be brought to the knowledge of this Government.

'This Government has noticed with surprise the assertion that it had intimated to British Agent that the new members to be chosen for South African Republic Volksraad should be allowed to use their own language. If it is thereby intended that this Government would have agreed that any other than the language of the country would have been used in the deliberations of the Volksraad, it wishes to deny same in the strongest manner. Leaving aside fact that it is not competent to introduce any such radical change, they have up to now not been able to understand the necessity or even advisability of making a recommendation to the Volksraad in the spirit suggested. Hence also the immediate and express denial given to British Agent by State Attorney to any question of that nature.

'Inasmuch as the proposal for any further Conference has been made specially dependent on the acceptance of a proposal which this Government does not feel at liberty to recommend to Volksraad, it would perhaps be premature to deal with it further at the present time. It merely wishes, however, to remark that it has not yet been made clear to it which are

the definite questions which would be discussed [at] proposed Conference, and which could not be subjected to arbitration, but it is pleased to see that Her Majesty's Government thinks that they could readily be settled by means of friendly discussions, while it further welcomes with much pleasure prospect disclosed by Her Majesty's Government of the introduction of a Court of Arbitration for the decision of all points of difference and points to be discussed at the Conference, and is ready and willing to co-operate towards the composition of such a Court, and that the more as it is its firm intention to abide entirely by the Convention of London, 1884, as its efforts have been continuously to do.

'Finally, this Government continues to cherish hope that Her Majesty's Government on further consideration will feel itself free to abandon idea of making new proposals more difficult for this Government, and imposing new conditions, and will declare itself satisfied to abide by its own proposal for a Joint Commission at first proposed by Secretary of State for Colonies in Imperial Parliament, and subsequently proposed to this Government and accepted by it.

'If Her Majesty's Government is willing and feels able to make this decision, it would put an end to the present state of tension, race hatred would decrease and die out, the prosperity and welfare of South African Republic and of whole of South Africa would be developed and furthered, and fraternization between the different nationalities would increase.

'I have, etc.,

'(Signed) F. W. REITZ,

'*State Secretary*.'[1]

The first point in this despatch which calls for some notice in this history of the negotiations is the charge of breach of faith against the British Government in connection with the pourparlers with Sir W. Greene. The facts already given refute the charge (see Chapter XVIII.). The overtures were made not by Sir W. Greene to Mr. Smuts, but by Mr. Smuts to Sir W. Greene. The latter had no authority to, and did not, accept the overtures. Before the Transvaal Government reduced its proposals to formal terms, Lord Milner, on instructions from the British Government, had said that if proposals were made such as were communicated to Sir W. Greene, the Government would consider them on their merits. The actual proposals did not in several essentials correspond to those communicated to Sir W. Greene. Nevertheless, the British Government did consider them on their merits. Mr.

[1] C. 9530, p. 11.

Chamberlain's reply (dated September 22) to the charge of breach of faith was as follows. This reply was purposely separated (see p. 229) from the main course of the negotiations, and I therefore give it at this place:

'Her Majesty's Government cannot pass over in silence the charge of a breach of faith which is practically insinuated in the letter from the State Secretary of the South African Republic forwarded to me in your telegram No. 4 of the 16th September.

'The proposals made by the Government of the South African Republic in the letters from the State Secretary dated 19th and 21st August were not "induced by suggestions given by the British Agent to the State Attorney." On the contrary, State Attorney sounded British Agent both in writing and in conversation as to the conditions on which Her Majesty's Government would waive their invitation to a joint inquiry, and the result of these communications was the proposals made by the Government of the South African Republic in those letters.

'Government of the South African Republic state in the letter from the State Secretary conveyed in your telegram No. 4 of the 16th September, that they understood that their proposals were 'constituted both in spirit and in form' in a manner satisfactory to Her Majesty's Government.

'It is impossible that the Government of the South African Republic could, in making their proposals, have been in any doubt as to the answer which Her Majesty's Government would give to the conditions attached to them. The answer actually given by Her Majesty's Government in my telegram to you, No. 1 of the 28th August, and which the Government of the South African Republic allege as their reason for withdrawing from their offer, was precisely that which the British Agent had foreshadowed to the State Attorney, and which, therefore, they must have anticipated in making their proposals.

'Nor can Her Majesty's Government admit that it was my telegram No. 5 of the 8th September which substituted 'an entirely new proposal' for the invitation to a Joint Commission of Inquiry.

'In order to demonstrate inaccuracy of this contention it is sufficient to quote opening words of the note of the State Secretary, dated the 19th August, which were as follows: "With reference to your proposal for a joint inquiry, contained in your despatches of the 2nd and 3rd August, Government of South African Republic have the honour to suggest the following alternative proposal."

'Then followed the very proposals as to representation which Her Majesty's Government are stated to have "substituted" for their invitation. In making this communication the Government of the South African Republic assumed that Her Majesty's Government would agree to their suggestions as to non-interference and suzerainty, but it was only in a separate note from the State Secretary, dated two days later, that the proposals for franchise and representation were stated to be expressly

conditional on the acceptance by Her Majesty's Government of these assumptions.

'Her Majesty's Government are therefore unable to see any grounds for misapprehension on the part of the South African Republic as to the answer which would be given with regard to non-interference and suzerainty, and her Majesty's Government desire to further point out that the substantive condition which was at first attached to the proposals of the Government of the South African Republic was that Her Majesty's Government would not press for the appointment of a Joint Commission of Inquiry, as such an inquiry would, in the opinion of the Government of the South African Republic, as stated in their note of the 12th August, prejudice the right of full independence in internal affairs repeatedly recognised by Great Britain.

'With regard to use of English language by the Uitlander members of Volksraad, the proposal seems to Her Majesty's Government to be as reasonable as is privilege of using Dutch language enjoyed by Dutch members of Legislature of the Cape Colony or the facultative use of either German, French, or Italian in the Legislature of Swiss Confederation, and Her Majesty's Government can only express their astonishment that the Government of the South African Republic should characterize it as unnecessary and inadvisable, and should make a point of denying in the strongest manner that they could ever have made such a proposal to British Agent through the State Attorney' (C. 9530, p. 17).

I do not myself see how it is possible, on a careful examination of the documents, to challenge Lord Milner's statement that 'if anyone was misled in this matter, it was not the Government of the South African Republic' (C. 9530, p. 58). But, at any rate, we cannot do wrong to accept the summing up of Chief Justice Sir Henry de Villiers. 'I have carefully read the latest correspondence,' he says, 'and I am by no means satisfied that the British Resident was guilty of a breach of faith. The utmost I would say is that there was a misunderstanding' (Cd. 369, p. 6).

Having disposed of the charge of breach of faith, we may pass to the general tenour of the Transvaal's reply of September 16. It was negative all along the line. It declined to grant the concessions contained in paragraphs 1, 2, 3 of its note of August 19. It declined, that is, to grant a five years retrospective franchise, and declined to give eight new seats to the Goldfields. It repudiated contemptuously the idea that the new members should be allowed to use their own language. It did not take kindly even to the idea of a

further Conference. Mr. Reitz calmly treated the whole of the negotiations since July 27 as if they had never existed, and complained that the British Government had put forward new proposals. What he suggested was a reversion to the old lines and inquiry into the exploded Seven Years Law. This he did in involved sentences, which reflect only too accurately the nature of the argument. To take one instance, what will any candid reader familiar with the facts make of the following passage? 'With a view to the assurance given by Secretary of State for Colonies that he would not consider the said offer as a refusal in answer to his invitation to a joint inquiry based upon existing franchise law and scheme of representation for Witwatersrand Goldfields, it cannot understand why, as soon as this invitation was accepted (as was done by this Government in its note September 2), Her Majesty's Government declares that it cannot any longer agree to the inquiry on this subject, and for purposes which that Government itself proposes.' From this cloud of words there emerges the insinuation that the invitation to the joint inquiry on the seven years franchise was withdrawn by Great Britain as soon as it was accepted by the Transvaal. Even the acceptance, I may remark, was wrapped in such obscurity as to be barely visible. But who would suppose from the passage given above that a fresh set of proposals volunteered by the Transvaal had intervened between the invitation and its 'acceptance'? And who would know that what the Secretary of State added was that he would 'be prepared to consider the reply (containing those new proposals) on its merits'? Mr. Reitz tries to suggest that Mr. Chamberlain consented to keep the seven years inquiry offer alive. He did nothing of the kind. He said he would not treat the suggestion of alternative proposals as a refusal terminating negotiations, but would consider those proposals on their merits. Which is exactly what the British Government had been doing ever since. But now the Boer Government persisted in the withdrawal of its proposals. On what ground? This question is worth careful examination. The Boer Government was induced, says Mr. Reitz, to make the

five years proposals in the hope of obtaining three valuable considerations, namely, (1) avoidance of 'claim of suzerainty made by Her Majesty's Government'; (2) avoidance of 'interference of that Government in the internal affairs of this Republic'; and (3) supply of 'the want of an automatically working manner of regulating differences between Her Majesty's Government and this Government.' Mr. Kruger now withdrew his proposals because 'the conditions attached to the proposal have been declared unacceptable.' But is this true? Anyone who recalls the terms of the British Government's last despatch, and refers to Sir W. Greene's account of the negotiations, will see how far the British Cabinet went to meet the points discussed between Sir W. Greene and the State Attorney. As for No. 3 above, arbitration had been agreed to. As for non-interference, the British despatch stated that the five years scheme 'would in all probability render unnecessary any further intervention to secure the redress of grievances, which the Uitlanders would themselves be able to bring to the notice of the Executive and the Raad.' As for suzerainty, Sir W. Greene never promised that the British claim would be abandoned. But the British despatch limited itself to repudiating the Transvaal's claim to be a Sovereign International State. The Boers knew perfectly well that this claim was rejected in 1884, and it is obviously inconsistent with the Convention of that year. Why did they insist upon it? Had they some ulterior aims not disclosed?

However that may be, the despatch which Mr. Courtney 'hailed as a rebuke to the fire-eaters' was contemptuously rejected. The Transvaal Government did what Mr. Morley said they could not do: they withdrew from the five years franchise. Yet Mr. Morley, from his point of view, was perfectly justified in his forecast. He believed in the peaceful intentions of the Transvaal Government. He assumed that Mr. Kruger had been conducting the negotiations in a serious spirit. He naturally concluded, therefore, that what Mr. Kruger had himself offered one day would not be withdrawn the next. Why was it? Must not the conclusion be that Mr. Kruger never had any honest intention

of meeting the Uitlander case at all? That was how it struck the Chief Justice in Cape Colony. 'I confess,' he wrote on September 28 to Mr. Fischer in the Free State (Cd. 369, p. 6), 'I look with horror on a war to be fought by Afrikanders to bolster up President Kruger's régime. I could understand a war in defence of the South African Republic after it has made reasonable concessions to the demands of the new-comers, and after it has displayed the same desire to secure good government as is seen in the Orange Free State; but of such a desire I have not seen the faintest trace.'

# CHAPTER XXI

## A 'GOLDEN BRIDGE'—BRITISH 'INTERIM DESPATCH' OF SEPTEMBER 22

An anxious week—Hopes of peace, fears of rupture—Points at issue examined—'Interim despatch' suggested in *Daily News*—Cabinet Council on September 22—The British despatch—The 'war for a consonant' fallacy—The 'interim' policy and hopes of peace—Sir Henry de Villiers' appeal.

THE definitive withdrawal by the Transvaal Government of their offers of August 19, and their rejection of the British despatch of September 8, created a most perilous situation. But in this country, at any rate, there were friends of peace who, if they could not greatly hope, did not entirely despair. The week which followed (September 18 to 24) was one of the utmost anxiety. The British despatch of September 8 had intimated that, if its terms were rejected, a new chapter would be opened. The negotiations would enter upon a new and a more critical stage. The British Government would, indeed, still seek to find a peaceable solution. But the search would be difficult. The Transvaal despatch of September 16 was a blank rejection of the British despatch of September 8. The new situation had thus arisen. The object on which some, at any rate, of the friends of peace now concentrated their efforts and their hopes was a period of delay, and the building of some golden bridge by which, if Mr. Kruger really desired peace and conciliation, he might yet retrace his steps.

The following articles, which appeared in the *Daily News* during this critical week, are perhaps worth reprinting, as showing the trend of moderate opinion in this country, as

reflecting the hopes and fears which alternately possessed the friends of peace, and also as dealing incidentally with some points on which there had been misunderstanding:

*September* 19.

'"Among stockbrokers the opinion is generally held," says a City correspondent, "that the Government has no alternative now other than to declare war." This opinion, if it is really entertained, is wide of the mark. It were indeed idle to deny that the Boer reply makes a peaceful settlement much more difficult than it was before, and that the reply on the face of it looks as if the Boers themselves were now averse from such a settlement. But the eight-day clock has not run down, and while there is time every lover of peace must continue to hope for the best. An immediate "declaration of war" would be a blunder and a crime—a blunder because it would not raise the true issues, or at any rate not the whole of them; a crime because it would be making the appeal to force before the resources of diplomacy were exhausted. There is, happily, no reason whatever for supposing that the Government has the slightest intention of being hurried into any such move. Lord Salisbury is expected in London to-day, but the Cabinet is not likely to meet till the end of the week. Its policy, in the event of a negative reply such as has actually been received, was declared in advance. It was to reconsider the whole question afresh, and formulate "proposals for a final settlement"; no longer, that is to say, concentrating its attention on the franchise question. We are afraid it must be taken for certain that as the Boers have refused even a five years franchise scheme, they will reject the wider and more comprehensive proposals which must now follow. We can see only one chance of peace. Perhaps even this chance is only a small one. But the first question of principle which the Cabinet will have to decide is whether the chance should be given or not. There are many ways in which it might be done. The formulation of "proposals for a final settlement" will in any case be a matter requiring some time, and very careful consideration. One way of giving the Transvaal Government the chance of which we have spoken would be to send an "interim" reply to their last despatch, merely pointing out, with such remarks as may be suitable, that its terms appear to the British Government to be negative, and that therefore the Government will now proceed to "reconsider the situation *de novo*, and formulate their own proposals for a final settlement." A despatch on these lines, which might be accompanied by some further useful information of a verbal character, would involve no weakening in the British attitude, while it would leave the Boer Government a place for second thoughts. Or, the final despatch, containing the new proposals, might be put in such a way as still to leave open the alternative of an acceptance of the present proposals. The responsibility in this matter rests with the Government. We can only

end as we began by an earnest hope that the Boers may yet change their minds. Now, if ever, is the time for all who have influence in the Transvaal to exert it on behalf of moderation and peace. Olive Schreiner's impassioned appeal for peace has only one fault. It is sent to the wrong address; or, at any rate, it is sent only to one of the two necessary addresses. The appeal is cabled from Johannesburg to Manchester. It ought to have been sent a much smaller distance—from Johannesburg to Pretoria. The latest British move in the negotiations was recognised on all sides as an effort on behalf of peace. Mr. Morley and Mr. Courtney at Manchester both accepted it as such. Mr. Courtney in particular hailed it as "a rebuke to the fire-eaters." But the fire-eaters at Pretoria absolutely reject it. Whereupon what does Olive Schreiner do? Stand up boldly to the Boers and reproach them for rejecting the British overtures? Not at all. She flings bitter reproaches at the British people, and tells them that "centuries" will not suffice to wash out the stains of their bloodguiltiness. "There are times in the life of a nation," says Olive Schreiner, "when silence and inaction are as criminal as active participation in crime." Then why does she not make her eloquent voice heard at Pretoria, where Boer politicians, playing fast and loose with their own proposals, are rejecting all overtures which would make for peace, and are forcing things to a pass from which there may be no issue except by war?'

*September 20.*

'Sir Henry Campbell-Bannerman's word on the Transvaal crisis is very much to the point. It is sent to the Manchester Transvaal Committee, but is obviously intended for Pretoria, to which address the Committee would do well to forward it. What is wanted in order to solve the crisis is, says Sir Henry, "straightforward diplomacy and goodwill." These qualities were by common consent of all parties in this country conspicuous in the British despatch of September 8. It stated precisely what Great Britain asked without any reserves, equivocation, or confusion. The despatch showed goodwill. It made things as easy as possible for the Transvaal Government. It asked for nothing which that Government or its agents had not at one time or another suggested, and by agreeing to the principle of arbitration provided Mr. Kruger with something to show in return for concessions on his part. But what are we to say of Mr. Kruger's reply? It was certainly not conspicuous either for straightforwardness or for goodwill. The Transvaal Government could not with any fairness or consistency—Mr. Morley is our authority—withdraw from the five years franchise. But in their reply they did withdraw it, and they did so in a cloud of involved quibbling. The result is that any continuance in the policy of friendly negotiation on the present basis is made very difficult, and the serious contingency specified in the British despatch at once arises. This is deplorable. For Sir Henry Campbell-Bannerman is perfectly

right. Nothing was wanted to solve the crisis except straightforward diplomacy and goodwill. Is it too late to hope that the supply of these things on the British side may yet be met by the display of a similar spirit on the Boer side? The hope may be doomed to disappointment, but there is no reason why it should not be given scope. There are various rumours in to-day's telegrams from South Africa which point to the possibility of second thoughts at Pretoria. Perhaps there is nothing very substantial behind the rumours, but there is no reason why time should not be allowed for such second thoughts to come into play. The task of formulating proposals for a final settlement, on lines other than the franchise negotiations, would in any case require much consideration and occupy some time. The proper thing to do is, therefore, as we suggested yesterday, to send an "interim" reply to Pretoria. This despatch might take note of the points on which the two Governments seem now to be in accord, and with regard to the points of difference, remind the Transvaal Government, in the spirit of Mr. Morley's speech, of its own admissions and proposals.

'One of Mr. Kruger's defenders in this country wants to know, with regard to the proposed use of English in the Volksraad, how we should like "a variegated debate in the House of Commons, in which naturalized Dutchmen and Germans added a new terror to Parliamentary oratory by introducing the twangs and gutturals of their own tongues." We are not aware that a majority of the taxpayers in this country are Dutchmen and Germans, or that there is any demand for the admission of such "twang and guttural" Uitlanders to Parliamentary representation. But there are within the British Empire two cases which are really to the point. One is the Cape, with its mixed English-speaking and Dutch-speaking population. The other is Canada, with its mixed English-speaking and French-speaking population. In both cases there is equality between the two languages in the Legislature. Mr. Reitz, in the Boer reply, speaks of Dutch as "the language of the country." It is the official language, we all know. But "the language of the country," in the sense of the language most widely used in commercial, and probably even in domestic life, is English. The vigour with which Mr. Reitz denounces the idea of English being allowed side by side with Dutch in the Volksraad throws some light on the "goodwill" of the Transvaal Government in the whole matter of the franchise. To admit the Uitlanders, but to forbid them to speak except in Dutch, would be to give them a vote, but not a voice.'

*September* 21.

'The air was heavy yesterday with all kinds of untrustworthy rumours. No irrevocable step has yet been taken on either side. Until war breaks out peace is possible; and as long as peace is possible it is the duty of all responsible persons to search for ways in which peace may be honourably secured. The last reply of the Transvaal Government makes this

hard, but not impossible. The British Government cannot recede from the position assumed in its last despatch; but what it can do is, as we have urged, while taking a step forward, to leave the door open for a settlement on the present lines.

'Let us look once more at the last two notes, and see how the case stands. Mr. Kruger persists in withdrawing his offer of August 19 because "the conditions have been declared unacceptable" by the British Government. But have they? Let us see. The conditions were three. They are stated somewhat differently in the two despatches of August 19 and September 16. We will take the wording of the latter. What the Transvaal Government fears and dislikes, and what it would give the franchise in order to avoid, is "the continuous threatening and undoubted danger to its highly-prized independence, arising from (1) claim of suzerainty made by Her Majesty's Government, (2) the interference of that Government in the internal affairs of this Republic, and (3) the want of an automatically working manner of regulating differences between Her Majesty's Government and this Government." Such, then, are the conditions. We maintain that the last despatch of the British Cabinet goes a long way to meet every one of them. With regard to No. 3 there is no dispute. The British Government agrees to establish a Tribunal of Arbitration, and the Transvaal Government has "welcomed" this concession "with much pleasure." With regard to No. 2, it is impossible for any Government to say to another that it will never again interfere on behalf of its subjects. But the British Government has said what it could; namely, that a satisfactory settlement of the franchise question "would in all probability render unnecessary any further intervention on the part of Her Majesty's Government to secure the redress of grievances which the Uitlanders would themselves be able to bring to the notice of the Executive and the Raad." Nobody has pointed out more clearly than Sir Alfred Milner the undesirability of frequent intervention of this sort. It was to avoid the necessity for perpetual "nagging" that the High Commissioner put forward his Bloemfontein programme. We do not see how the British Government could have gone further in the direction of securing the Transvaal against internal intervention in the future.

'The question is, however, closely bound up with the remaining condition put forward by Mr. Kruger, namely, the dropping of the British claim to suzerainty. It is round this point, according to Sir William Harcourt, that the struggle really centres. It seems to us, as we have said on previous occasions, that the British despatch of September 8 expressly left the door open to an agreement on the matter. The word "suzerainty" was not used in the paragraph defining the British view. The despatch merely repudiated the claim put forward by Mr. Reitz on behalf of his Government to the status of a Sovereign International State. On this question the powerful and eloquent speech delivered by Sir William Harcourt to his constituents last night deserves the closest attention both

here and at Pretoria. It is a question on which Sir William speaks with peculiar authority—with the authority of a member of the Cabinet responsible for the Conventions of 1881 and 1884, as well as that of a high expert on this kind of legal question. Sir William Harcourt tells the Transvaal Government plainly that their claim is "quite indefensible and cannot be maintained," and he thinks "the British Government has been perfectly right in repudiating the claim."[1] He associates himself also, we may add, with Mr. Morley in saying that the Transvaal Government, having once made the offer of the five years franchise, ought not to have withdrawn it. He reminds Mr. Kruger further, in a very telling passage, that the Boers themselves in old days bitterly resented the absence of those political rights which they now deny to the Uitlanders.[2] But while thus urging the Transvaal Government to abide by their own offer of August 19, Sir William Harcourt urges the British Government on its side to clear up the suzerainty tangle. The solution seems to us very simple. What the Boers fear is a "suzerainty" used to cover and excuse intervention in their internal affairs. What the Convention of 1884 gives us is a "suzerainty" to control their foreign relations. Now this is the only kind of suzerainty we want. Our effective rights of

[1] 'I wish to deal fairly in this controversy, and as I have criticised and rejected the theory that the suzerainty was retained in the Convention of 1884, so I say I think this was a claim (to be a Sovereign International State) put forward on the part of President Kruger and the Transvaal State which could not be maintained, and for the same reason that you cannot say suzerainty when you have only a partial suzerainty. So you cannot claim the position of a Sovereign International State when you have surrendered the control of your foreign affairs. . . . I have always said that that claim on the part of the Transvaal Government was not justified—that the British Government were right in repudiating it' (Speech at New Tredegar, September 20, 1899).

[2] 'All the causes which have been referred to as giving rise to the emigration movement (the Great Trek) may be grouped under one heading, for all the grievances of the emigrants arose from one cause; they desired self-government, and under British administration this was denied to them. In their own words: "We ascribe all these evils to one cause, viz., the want of a representative Government, refused to us by the executive authority of that same nation which regards this very privilege as one of its most sacred rights of citizenship, and that for which every true Briton is prepared to give his life." That was the history of the Great Trek, by which the settlement of the Transvaal people took place. A pathetic story it is. President Kruger ought to remember that, and I hope he will remember the grievances of which they complained at our hands which drove them from the place of their birth and made them abandon the land of their fathers' (Speech at New Tredegar, September 20, 1899).

internal intervention are independent of any claim to suzerainty. The point to make clear is that we do not intend to use any claim of suzerainty as a justification or occasion for internal interference. Sir William Harcourt thinks that if this point were once conceded to the Boers, there would be "peace to-morrow." We do not know how that may be, but, at any rate, there is no reason whatever why the concession should not be made. The concession would cost us nothing at all, for, as a matter of fact, we have never based any intervention, outside the limits of the Convention, on the claim of suzerainty. We intervene either to enforce some article in the Convention, or to protect British subjects residing under an alien Government. But it seems that though the concession would cost us nothing, it would be taken as valuable consideration by the Boers. If so, here is precisely one of the things, ready to Lord Salisbury's hand, out of which accomplished diplomatists construct the golden bridges of their craft. We can see no reason whatever why, in the "interim" despatch, the British Government should not explain that, in challenging the claim of the Transvaal to be a Sovereign International State, it does not assert any right of interference other than is expressly defined in the Convention of 1884. Whether Mr. Kruger would avail himself of any such golden bridge as this we do not know. But the Government, by giving him the chance, would set itself right with important sections of opinion in this country, and in the event of the failure of a sincere effort for peace on these lines, might hope to find behind it the support of a united nation.'

In order to give these suggestions a more definite turn, I drew up in my article for the next day (September 22) a draft of the kind of despatch which, as it seemed to me, would best build the 'golden bridge' that all friends of peace were looking for. The terms of my draft were as follows:

'Her Majesty's Government have received with regret the note of the South African Republic of September 16, in which their proposal of September 8 is rejected.

'Their regret is increased by the fact that their proposal was based on the offers made by the Government of the South African Republic itself in its note of August 19.

'With regard to the "conditions" attached to that note, it is quite true that Her Majesty's Government were unable to accept them in the form in which they were presented. But Her Majesty's Government may point out that (1) they have expressed their readiness, in the event of their other proposals being accepted, to proceed at once to a conference to settle all the details of the proposed Tribunal of Arbitration; and (2) that their object in proposing a scheme of franchise reform is to enable the Uitlanders to redress their own grievances, and thereby to render unnecessary any further intervention on the part of Her Majesty's

Government in relation to such grievances. (3) Her Majesty's Government may point out, further, that while they are compelled to repudiate absolutely the claim of the South African Republic to the status of a Sovereign International State, they have no intention to assert on behalf of Her Majesty any right of interference in the internal affairs of the Republic other than that which belongs to every Government for the protection of its subjects wherever they may reside, or than that which is contained in the Articles of the Convention of 1884.

'In view of the rejection by the Transvaal Government of the proposal contained in the note of September 8, Her Majesty's Government, in the exercise of the right reserved in that note, are now formulating their own proposals for a final settlement, which will be submitted forthwith to the Government of the South African Republic.'

The Cabinet met on the same day (September 22), and it was decided not to proceed at once to 'Policy No. 2,' *i.e.*, to formulate fresh proposals, but to send 'an interim despatch' on the lines of the above draft. The Government's despatch, which was sent by telegraph on the night of September 22, was in the following terms:

'*September* 22.—No. 5. I have to acknowledge receipt of your telegram, No. 4, September 16, conveying reply of the Government of the South African Republic to note of British Agent, conveying communication of Her Majesty's Government, contained in my telegram to you of September 8, No. 5. The offer therein made by Her Majesty's Government was moderate and conciliatory, and they have to express their profound regret that reply of Government of the South African Republic is a refusal to accept it.

'Her Majesty's Government have on more than one occasion repeated their assurances that they have no desire to interfere in any way with independence of South African Republic, provided that the conditions on which it was granted are honourably observed in the spirit and in the letter, and they have offered as part of a general settlement to give a complete guarantee against any attack upon that independence, either from within any part of the British dominions or from the territory of a Foreign State.

'They have not asserted any rights of interference in the internal affairs of the Republic other than those which are derived from the Conventions between the two countries, or which belong to every neighbouring Government (and especially to one which has a largely predominant interest in the adjacent territories) for the protection of its subjects and of its adjoining possessions. But they have been compelled by the action of the Government of the South African Republic, who have in their note of May 9, 1899, asserted the right of the Republic to

be a Sovereign International State, absolutely to deny and repudiate this claim.

'The object which Her Majesty's Government have had in view in the recent negotiations has been stated in a manner which cannot admit of misapprehension, viz., to obtain such a substantial and immediate representation for the Uitlanders in the South African Republic as Her Majesty's Government hoped would relieve them from any necessity for further interference on their behalf, and would enable the Uitlanders to secure for themselves that fair and just treatment which was formally promised to them in 1881, and which Her Majesty intended to secure for them when she granted the privilege of self-government to the inhabitants of the Transvaal.

'As was stated in my telegram of September 8, Her Majesty's Government are of opinion that no conditions less comprehensive than those contained in their offer of that date can be relied upon to effect this object.

'The refusal of the Government of the South African Republic to entertain the offer thus made, coming as it does at the end of nearly four months of protracted negotiations, themselves the climax of an agitation extending over a period of more than five years, makes it useless to further pursue a discussion on the lines hitherto followed, and Her Majesty's Government are now compelled to consider the situation afresh, and to formulate their own proposals for a final settlement of the issues which have been created in South Africa by the policy constantly followed for many years by the Government of the South African Republic. They will communicate to you the result of their deliberations in a later despatch.

'Communicate as above to Government of South African Republic' (C. 9530, p. 16).

The text of this despatch was not published in this country till the morning of September 26 (the day after it reached the Transvaal Government), but the fact of its having been sent and some indication of its tenour were made public at the time. It was received in all quarters except one in this country with satisfaction and relief. The exception consisted of some of the more extreme Krugerites, who said that Mr. Chamberlain was going to war 'for a consonant.' The foundation for this grotesque summary of the situation was the following paragraph in the British despatch: 'Her Majesty's Government have not asserted any rights of interference in the internal affairs of the Republic other than those which are derived from the Conventions between the two countries, or which belong to every neighbouring Government (and especially to one which has a largely

predominant interest in the adjacent territories) for the protection of its subjects and of its adjoining possessions.' The despatch, it will be observed, said *Conventions* in the plural, not *Convention* in the singular. It was a pity that the plural was used, because the singular was sufficient (see above, p. 190), and because the plural gave a loophole for misunderstanding. I may be pardoned for thinking that in this matter the Government would have done better to adopt the form of words suggested in the *Daily News*. But it is idle to pretend that the superfluous 's' in the despatch had any such critical and sinister importance as was attributed to it. If Mr. Kruger were sincerely negotiating for peace, there could only be one real and substantial point in objection to the use of the word *Conventions*. That point was a fear lest, under shadow of the preamble of 1881, the British Government threatened the existing liberties of the Republic. That no such design was harboured was shown in the very same despatch, for it offered 'a complete guarantee against any attack upon that independence.' Those who raised the 's' to the '*n*th' point of importance were not logical enough to perceive with what deadly effect their criticism of the despatch recoiled upon Mr. Kruger. If anyone 'made war for a consonant,' it was he. His was the ultimatum, and if he had chosen to accept the British terms of September 22, subject only to explanations about the 's,' does any human being suppose that peace would not have been secured? Mr. Kruger himself, when the time came for him to speak, took his stand on no such quibbling points; he rested on a broad and general denial of the whole British case.[1] Nor among the bulk of the pro-Boer press did the consonant fallacy obscure their judgment of the British despatch. They saw in it, as others did, a sincere bid for peace.

[1] If any point had been made out of the 's,' there was an easy way out, as I suggested on September 30: 'For all we know, it may mean something else, namely, a reference to the Swaziland Convention of 1894, as well as to the London Convention of 1884. There are, it must be remembered, points in dispute between the two Governments in relation to the Swaziland Convention, as well as in relation to the Convention of 1884.'

The advantage in the interests of peace gained by the adoption of the 'interim' policy by the Cabinet was obvious. The Jingoes, who had been shouting for instant war, were no doubt badly disappointed, but the mind and conscience of sober folk in both parties were greatly relieved. It was seen, as I said at the time, that 'the door was not closed on the preceding series of negotiations with a bang. It was kept open by means of an interim despatch—a despatch, that is to say, which postponed the formulation of new proposals for a later occasion, and so left the door open for the South African Republic, if it so desired, to anticipate any such proposals by remedying its old offers of August 19. Would the chance of peace thus gained be utilized? The next few days were to show. In the meanwhile the duty of friends of peace was obvious:

'It behoves every man, according to the measure of his ability and opportunity, to strive that the opportunity shall be seized. There is one truth which is sometimes forgotten. It is this, that it takes two to make an honourable peace. We are afraid that some of those who are loudest in their professions as friends of peace do not always remember this simple fact. Of course, if Great Britain is to pursue peace at any price, then she alone—without any corresponding goodwill on the part of the Transvaal—can secure peace. She has only to withdraw from her position, or to go on negotiating for ever, and the peace need thus never be broken. But if the task to which she has set herself be just and right, what then? Mr. Morley says that Great Britain must "insist" on the five years franchise. But if President Kruger "insists" on withdrawing his offer, what is then to be the issue? We find in the current number of the *British Weekly* some words on the crisis which we commend to the consideration of our readers: "The weakness of Mr. Morley's case is that he is afraid to say what he knows to be true—that we cannot go on for ever with diplomacy. We asked nothing but what is reasonable, and we mean to have it. They are the best friends of the Boers at the present crisis who urge them to yield gracefully and to trust our country." The British Cabinet by its decision of yesterday has left a way open for peace. The next move is with President Kruger. It is to him that peacemakers should now address their articles, their resolutions, their memorials' (*Daily News*, September 23).

There was one lover of peace at least who lost not a moment in drawing up such an appeal, and in forwarding it to the proper quarter. This was Sir Henry de Villiers, the

Chief Justice of the Cape, whose wise words in season I quote so often, because his position, as an old and tried friend of the Dutch, gives to them a peculiar weight. Sir Henry recognised that a short time of grace had been obtained. He strove to turn it to good purpose:

'CAPE TOWN, *September* 28, 1899.

'MY DEAR MR. FISCHER,

'Before it is too late, I venture to make a final appeal to you, and through you to others in the Orange Free State who have any influence with President Kruger and his Raad.

'I do not, of course, know what the contents of the next British despatch will be, but if they be such as can be accepted without actual dishonour, I hope they will be accepted. The South African Republic cannot go to war if your Government should consider the despatch one which ought not to be rejected.

'Supposing a war does take place, is there any chance of the Transvaal obtaining better terms when the war is over? That question should be most seriously considered by all friends of the South African Republic. The whole might of Great Britain will be brought into play, and the war will not cease till the Transvaal is entirely subjugated. What will the position of the Republic then be?

'Judging from the forecasts given of the intended despatch, it will, at all events, formulate all the British demands. If that be so, there will not be the danger of further demands being sprung on the South African Republic. It will surely be for the interests of South Africa that a full and final settlement should now be arrived at.

'What I feel in the matter is that, however badly the Transvaal may have been treated from a diplomatic point of view, there is at bottom good ground for the irritation against its Government.[1] . . .

'My fear is that the fresh proposals will be summarily rejected, but that the day will come when everybody who has had a hand in such rejection will bitterly regret his action. I am assuming, of course, that the proposals are such as can be accepted without dishonour. . . .

'You will excuse my troubling you with this incoherent and hastily-written letter. It is only my anxious desire to preserve the peace of South Africa and save the Republics from destruction that has induced me to write it' (Cd. 369, p. 5).

A wise and statesmanlike utterance, every word of which was to be justified by subsequent events. But it was to fall on deaf ears.

[1] The portions of this letter omitted above have already been quoted in other connections (see pp. 182, 203, 213, 216).

# CHAPTER XXII

## A PAUSE—LAST EFFORTS FOR PEACE

'Policy No. 1' and 'Policy No. 2'—The 'interim despatch' left the door open on No. 1 (Franchise Reform)—Mr. Schreiner informed to that effect—Lord Milner's appeal to President Steyn—Despatch formulating No. 2 (reforms more comprehensive than No. 1) not sent—The Duke of Devonshire's assurance that the new proposals would be moderate—Probable nature of them—Mr. Kruger's silence—What was the hitch?

THE British 'interim despatch' was received by the Transvaal Government on September 25. In order that matters of unessential controversy should, as far as possible, be eliminated from the main exchange of views, the British Government's reply to the charge of bad faith in the matter of the Greene pourparlers was remitted to a separate document (quoted above, p. 212). The main despatch did not explicitly call for a reply, and its receipt was followed by a pause. Mr. Reitz filled up the time in the diplomatic sphere by sending long replies to earlier despatches — on September 22 to that of July 27, on September 25 to that of May 10. These are of no importance, for they were not received till matters had already passed from the sphere of discussion to that of arms.[1] On both sides the pause was used by the Governments to prepare for war. But friends of peace had not yet entirely given up hopes, and on the British side, at any rate, the door was studiously kept open.

There were only two things which could be done to make peace possible. The first was to emphasize the fact that

[1] The despatches in question will be found in a Blue-Book of January, 1900, Cd. 43, pp. 67 and 73.

Mr. Kruger could still, if he chose, accept the terms of September 8, and make a settlement on the lines of 'Policy No. 1.' The second was to counsel moderation in the adoption by the British Government of 'Policy No. 2'—*i.e.*, the policy of formulating proposals more comprehensive than Franchise Reform. With regard to the first matter, a short extract from an article of the time will suffice to show the point of view which was, I believe, adopted by a large body of moderate opinion in this country:

'Will President Kruger avail himself of the golden bridge? The fact that such a bridge is constructed in the first of the two despatches sent on Friday is, we are glad to see, generally admitted in this country. In some few quarters our view of the matter has been challenged, but we may refer in corroboration to the admission in yesterday's *Standard*: "If before the new proposals are formulated President Kruger should announce his complete and unconditional concurrence with the views of the Colonial Secretary and the High Commissioner on the franchise, we might still be disposed to admit this belated repentance." That is not the most genial way of putting the case, but the root of the matter is in it. The despatch of September 22 gives, and (we say advisedly) was intended to give, an opportunity to Mr. Kruger to revert to his offer of August 19. This was made easy for him by the explicit declarations to which we referred at length yesterday. If President Kruger cares to renew his offer, he will be able to say that he has obtained in return the arbitral tribunal on which he has laid so much stress; that he has obtained a guarantee of independence; and that he has obtained a satisfactory definition of the British rights of interference' (*Daily News*, September 27, 1899).

That the 'golden bridge' still existed was stated in a despatch to the Cape Government. Mr. Schreiner and his colleagues had on September 22 sent home an appeal for consideration and compromise. The Home Government's reply, telegraphed on September 25, was as follows:

'Inform your Ministers in reply to their message contained in your telegram of 21st September, No. 4, that Her Majesty's Government appreciate their anxiety; that Her Majesty's Government have shown, and will continue to show, every consideration to the Government of the South African Republic consistent with the maintenance of British interests; that they profoundly deplore the fact that up to the present all their efforts to secure a peaceful and satisfactory settlement have been unsuccessful, but that it is still open to the Government of the South

African Republic to do so without any sacrifice of its independence' (C. 9530, p. 18).

Lord Milner, who has sometimes been accused of working for war,[1] made a last attempt, as late as October 5, to keep the door open for peace. He was in communication at the time with President Steyn about the movements of troops on either side. He telegraphed accordingly:

'I have the honour to acknowledge Your Honour's long telegram of yesterday afternoon, the substance of which I have communicated to Her Majesty's Government. There is, I think, a conclusive reply to Your Honour's accusation against the policy of Her Majesty's Government, but no good purpose would be served by recrimination. The present position is that burgher forces are assembled in very large numbers in immediate proximity to the frontiers of Natal, while the British troops occupy certain defensive positions well within those borders. The question is whether the burgher forces will invade British territory, thus closing the door to any possibility of a pacific solution. I cannot believe that the South African Republic will make such aggressive action, or that Your Honour would countenance such a course, which there is nothing to justify. Prolonged negotiations have hitherto failed to bring about a satisfactory understanding, and no doubt such understanding is more difficult than ever to-day, after expulsion of British subjects with great loss and suffering; but until the threatened act of aggression is committed I shall not despair of peace, and I feel sure that any reasonable proposal, from whatever quarter proceeding, would be favourably considered by Her Majesty's Government if it offered an immediate termination of present tension and a prospect of permanent tranquillity' (C. 9530, p. 47).

Unhappily, no such proposal reached the British Government from any quarter.

The Government, partly because there was still some faint possibility of peace (for at the last moment President Steyn was believed to be wavering and the Cape politicians were still preparing peaceful advice[2]), but partly also because the

[1] An interesting telegram from Mr. Hofmeyr, dated September 2, is given in the '*Times* History of the War' (i. 338): 'Hofmeyr gathers prevailing impression, which is also his own, is that High Commissioner would much prefer to gain concessions and settlement without war, but will not shrink from war if object cannot otherwise be obtained.'

[2] See '*Times* History,' vol. i., ch. xii., for some telegrams which passed at this time. One of these, signed 'Micaiah,' was: 'Read Kings,

military situation counselled delay, did not proceed meanwhile to formulate its final proposals. To have done so would have been, in effect, to deliver an ultimatum. It was urged and hoped over here that the proposals would be moderate in character, and Sir Henry de Villiers, as we have seen, earnestly urged the Transvaal Government not to receive them in an uncompromising spirit. The Duke of Devonshire, in a speech on September 30, reinforced this appeal by reiterating the desire of the Government to respect the internal independence of the Transvaal, and by declaring that the new proposals would be conceived in a spirit of moderation. He said:

'When the Cabinet separated yesterday we had not yet received the answer of the South African Government to the despatch which was sent to them last week, and the terms of which have, I think, received the approval even of those who have been disposed to view somewhat

bk. i., ch. xxii., "And the King said unto him, Micaiah, shall we go against Ramoth-Gilead to battle, or shall we forbear? And he said, I saw all Israel scattered upon the hills, as sheep that have not a shepherd."' President Kruger's reply was addressed to his own burghers: 'Read Psalm cxviii. v. 7, "The Lord taketh my part with them that help me; therefore shall I see my desire upon them that hate me."' Political precept by biblical reference has played a considerable part in recent South African history. Mr. Rhodes has taken a hand in it as well as Mr. Kruger. When Dr. Jameson was preparing to attack Lobengula's impis and force his way through to Bulawayo, Mr. Rhodes telegraphed him: 'Read Luke xiv. 31, "What king going up to make war against another king, sitteth not down first, and consulteth whether he be able with two thousand to meet him that cometh against him with twenty thousand."' Dr. Jameson replied: 'I have read Luke xiv. 31, and it is all right.' It is curious that President Kruger, in his daily searchings of the Scriptures, should never have come across the following passages: 'One law shall be to him that is home-born, and unto the stranger that sojourneth among you' (Exod. xii. 49). 'But the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt: I am the Lord your God' (Lev. xix. 34). 'Ye shall have one manner of law as well for the stranger as for one of your own country; for I am the Lord your God' (Lev. xxiv. 22). 'One law and one manner shall be for you and for the stranger that sojourneth with you' (Num. xv. 16). If President Kruger had only read, marked, learned, and inwardly digested these texts, there would have been no Transvaal War.

critically the conduct of the Government in this matter. But although that reply had not been received, if we can give any credit to unofficial sources of information, it is not very likely to put an end to the painful tension which now exists. The obstacle which seems to stand in the way of a peaceful settlement of our difficulties with the South African Republic appears to lie in the rooted conviction which they have, that in the demands which we have made we cherish some design hostile to their independence and self-government. That any such apprehensions on their part are absolutely unfounded has been asserted as strongly as it can be asserted, both officially in our despatches and unofficially by members of the Government, and nothing which I can say can add to the force of those assertions. . . . The stage of negotiations which we have at present reached is that we see no longer any advantage in pressing further the proposals which we have made in regard to the franchise and the admission of the Uitlanders to a share in the Assembly which governs the affairs of the South African Republic. Those proposals have never been an essential point of difference between us and the South African Republic. They were made on the suggestion of Sir Alfred Milner as a means by which the tension between the two Governments might be relieved, and a means by which the grievances—the undoubted grievances—under which our fellow-subjects suffer might be redressed without the necessity of any irritating interference on the part of the British Government. Those proposals have not been received in a spirit which leads us, or can lead us, to hope that they will lead to a solution of the question. We have, therefore, been driven back to the necessity of formulating ourselves the requirements which we consider ourselves entitled to make, not only under the Conventions, but in virtue of the interest and duty of every State to protect its own citizens, and for the maintenance of peace and good order in South Africa. Those requirements will, I think, be found moderate in themselves, and under any other circumstances I should cherish the most earnest hope that they would be favourably received and made the basis of negotiations by the South African Government, and it is only the fact that the spirit in which simpler suggestions were received in regard to the franchise that led us to entertain any doubt on the subject; but, in the meanwhile, the military preparations which have been for so long going on in the Transvaal, and which have recently been intensified, have compelled us to make similar preparations.'

What the British proposals were is not known. What they should have been, and what it is believed they would have been, was thus stated in an article of the time:

'No reply has been received from Pretoria to the British note of last week. In these circumstances the Cabinet, we are glad to announce, have followed the course suggested in this column yesterday. They have

"agreed to the drafting of a despatch formulating their own proposals for a settlement," but the despatch is not yet to be sent. We dare say that in some quarters this temporary delay will be adversely criticised, but we are convinced that it is both right and expedient. The object of "the interim despatch" of September 22 was, as we explained, to leave a loophole for a friendly settlement on the former lines, in case the Transvaal Government cared at the last moment to avail themselves of it. The terms of the despatch were so moderate and conciliatory that they were recognised as constituting what the diplomatists call a golden bridge. The object of what we may describe as "the interim announcement" of September 29 is to show that the bridge is still there. It will be withdrawn shortly, for the new despatch "will probably be communicated in a few days to the Government of the South African Republic." The word "probably" is significant. What it means is that the despatch will be sent in a few days if no reply is forthcoming from Pretoria, or if the reply is unsatisfactory. If, on the other hand, the Transvaal Government should revert frankly and fully to its substantive proposals of August 19, then the necessity for sending the new and suspended despatch might, after all, not arise. This policy of patience will, we are sure, commend itself to all sober opinion in the country.

'If the reply from Pretoria, when it comes, holds out no hope of a renewal by Mr. Kruger of his offers of August 19, in what spirit should the Government address itself to the formulation of new proposals? Our view is that the new proposals should, as far as possible, be the old proposals—with one difference, namely, the addition of effective guarantees. If the Transvaal Government had adhered to its offers of August 19, and had accepted our Government's proposal of a Conference at Cape Town to settle other matters, the mere fact of an arrangement being thus arrived at would have been evidence of the friendly intentions of President Kruger. We always maintained that a guarantee would be found in the very publicity and official character of the proceedings. An exchange of notes between the two Governments was what we always suggested. And this, we observe, was what Mr. Greene and Mr. Smuts provisionally arranged: "As regards guarantee, this would be covered by exchange of the note of the South African Republic Government and the note of Her Majesty's Government in reply." But if Policy No. 1 has to be abandoned, if President Kruger declines to accept the friendly assurances of "the interim despatch," then the position will be radically altered, and it will only be in accordance with common prudence to include in the new and final proposals some stipulations which will afford positive guarantees for the fair treatment of the Uitlanders. This much in the way of "raising the terms" would be just and necessary. For the rest, we hope that the Cabinet's proposals will be such as to convince all candid minds of their fairness, and to prove that in seeking justice and fair-play for the Uitlanders this country harbours no ulterior designs' (*Daily News*, September 30, 1899).

Such were the hopes and fears of those who still earnestly wished for a peaceful solution. But no move came from President Kruger's side to encourage the hopes. He made no attempt to explain clearly and precisely what was the rock on which the British proposals of September 8 had broken up. Some questions on this point were asked at the time; and may be repeated here, in order to recall the reader's attention, after the long minutiæ of controversy in which we have necessarily been involved, to the real issues at stake. What, it was asked, is the real difficulty?

'Is it future interference? Is it suzerainty? Is it arbitration? These, it will be remembered, were the three points which formed the subject of the conditions attached to President Kruger's own offer of August 19. On each and all of these points the British Government has gone a long way to meet the President's demands. . . . Wherein is it that the British propositions and assurances are so unsatisfactory to him as to make him prefer a rupture? . . . But this is not all. Not only has the British Government gone far to meet the three conditions attached to the offer of August 19; it has also expressed its readiness to go into a Conference, at which all other matters "might be readily settled by friendly communications between the representatives of the two Governments." And here we may note a fact which has often struck us on reading the suggestions of friends of peace in this country. What they suggest as a way out of the present *impasse* is what Her Majesty's Government has already offered unsuccessfully to President Kruger's Government. Lord Hobhouse wants arbitration on various matters. It is what Her Majesty's Government have agreed to. Dr. Paton and others want a friendly Conference. It is what Her Majesty's Government have asked. It is said that Sir Alfred Milner would not be the right man in the right place at such a Conference. But why? We understand that President Kruger and his advisers were greatly impressed at Bloemfontein by Sir Alfred Milner's firm grasp of the questions at issue, and his relentless knowledge of all the details. That is precisely what an honest negotiator, bent on arriving at a friendly and permanent settlement without chicanery and equivocation, should value in his colleague at a Round Table.

'We come back, then, to our general question, What is it in the British note of September 8 that President Kruger finds intolerable? Why is it that he has disappointed all the friends of peace by breaking off negotiations on that basis? In the absence of any intelligible and coherent reply to these questions, it will be difficult to resist the conclusion that the real issues lie far behind; that either President Kruger has not yet sincerely convinced himself of the necessity of doing prompt and substantial justice to the Uitlanders, or that he is only prepared to do

it at the price of extorting from Great Britain concessions inconsistent with her present position in South Africa' (*Daily News*, October 3, 1899).

The next and the final stage in this history was to reveal clearly enough the reasons of Mr. Kruger's silence after the pacific despatches of September 8 and September 22, and to convince many of those who had hitherto been deceived.

# CHAPTER XXIII

## THE ULTIMATUM

Transvaal despatch of October 9—Nature of Mr. Kruger's ultimatum—President Steyn's ultimatum—The British reply—War—Reasons for Mr. Kruger's action—The ultimatum prepared several days in advance—The ultimatum disclosed the real issues—War 'not for a consonant but for a continent'—Manifestoes by Mr. Reitz and President Steyn—'The great day is at hand.'

AT 6.45 on the morning of Tuesday, October 10, the Colonial Office received a telegraphic despatch showing that President Kruger had decided upon war, and upon instant war. The terms of his ultimatum (dated October 9) were these:

'SIR,

'The Government of the South African Republic feels itself compelled to refer the Government of Her Majesty the Queen of Great Britain and Ireland once more to the Convention of London, 1884, concluded between this Republic and the United Kingdom, and which [? in] its XIVth Article secures certain specified rights to the white population of this Republic—namely, that (here follows Article XIV. of Convention of London, 1884, cited below on p. 259).

'This Government wishes further to observe that the above are only rights which Her Majesty's Government have reserved in the above Convention with regard to the Uitlander population of this Republic, and that the violation only of those rights could give that Government a right to diplomatic representations or intervention, while, moreover, the regulation of all other questions affecting the position or the rights of the Uitlander population under the above-mentioned Convention is handed over to the Government and the representatives of the people of the South African Republic.

'Amongst the questions, the regulation of which falls exclusively within the competence of the Government and of the Volksraad, are included those of the franchise and representation of the people in this Republic,

and although thus the exclusive right of this Government and of the Volksraad for the regulation of that franchise and representation is indisputable, yet this Government has found occasion to discuss in a friendly fashion the franchise and the representation of the people with Her Majesty's Government, without, however, recognising any right thereto on the part of Her Majesty's Government.

'This Government has also, by the formulation of the now existing Franchise Law and the resolution with regard to representation, constantly held these friendly discussions before its eyes.

'On the part of Her Majesty's Government, however, the friendly nature of these discussions has assumed a more and more threatening tone, and the minds of the people in this Republic and in the whole of South Africa have been excited, and a condition of extreme tension has been created, while Her Majesty's Government could no longer agree to the legislation respecting franchise, and the resolution respecting representation in this Republic, and finally, by your note of September 25, 1899, broke off all friendly correspondence on the subject, and intimated that they must now proceed to formulate their own proposals for a final settlement, and this Government can only see in the above intimation from Her Majesty's Government a new violation of the Convention of London, 1884, which does not reserve to Her Majesty's Government the right to a unilateral settlement of a question which is exclusively a domestic one for this Government, and has already been regulated by it.

'On account of the strained situation, and the consequent serious loss in and interruption of trade in general, which the correspondence respecting the franchise and representation in this Republic carried in its train, Her Majesty's Government have recently pressed for an early settlement, and finally pressed, by your intervention, for an answer within forty-eight hours (subsequently somewhat modified) to your note of September 12, replied to by the note of this Government of September 15, and your note of September 25, 1899, and thereafter further friendly negotiations broke off, and this Government received the intimation that the proposal for a final settlement would shortly be made; but although this promise was once more repeated, no proposal has up to now reached this Government.

'Even while friendly correspondence was still going on, an increase of troops on a large scale was introduced by Her Majesty's Government. and stationed in the neighbourhood of the borders of this Republic.

'Having regard to occurrences in the history of this Republic which it is unnecessary here to call to mind, this Government felt obliged to regard this military force in the neighbourhood of its borders as a threat against the independence of the South African Republic, since it was aware of no circumstance which could justify the presence of such military force in South Africa and in the neighbourhood of its borders.

'In answer to an inquiry with respect thereto addressed to His

Excellency the High Commissioner, this Government received, to its great astonishment, in answer a veiled insinuation that from the side of the Republic (*van Republikeinsche zeyde*) an attack was being made on Her Majesty's Colonies, and at the same time a mysterious reference to possibilities, whereby it was strengthened in its suspicion that the independence of this Republic was being threatened.

'As a defensive measure, it was therefore obliged to send a portion of the burghers of this Republic in order to offer the requisite resistance to similar possibilities.

'Her Majesty's unlawful intervention in the internal affairs of this Republic in conflict with the Convention of London, 1884, caused by the extraordinary strengthening of troops in the neighbourhood of the borders of this Republic, has thus caused an intolerable condition of things to arise, whereto this Government feels itself obliged, in the interest not only of this Republic, but also [?] of all South Africa, to make an end as soon as possible, and feels itself called upon and obliged to press earnestly and with emphasis for an immediate termination of this state of things, and to request Her Majesty's Government to give it the assurance:

'(*a*) That all points of mutual difference shall be regulated by the friendly course of arbitration, or by whatever amicable way may be agreed upon by this Government with Her Majesty's Government.

'(*b*) That the troops on the borders of this Republic shall be instantly withdrawn.

'(*c*) That all reinforcements of troops which have arrived in South Africa since June 1, 1899, shall be removed from South Africa within a reasonable time, to be agreed upon with this Government, and with a mutual assurance and guarantee on the part of this Government that no attack upon or hostilities against any portion of the possessions of the British Government shall be made by the Republic during further negotiations within a period of time to be subsequently agreed upon between the Governments, and this Government will, on compliance therewith, be prepared to withdraw the armed burghers of this Republic from the borders.

'(*d*) That Her Majesty's troops which are now on the high seas shall not be landed in any port of South Africa.

'This Government must press for an immediate and affirmative answer to these four questions, and earnestly requests Her Majesty's Government to return such an answer before or upon Wednesday, October 11, 1899, not later than five o'clock p.m., and it desires further to add that, in the event of unexpectedly no satisfactory answer being received by it within that interval, [it] will with great regret be compelled to regard the action of Her Majesty's Government as a formal declaration of war, and will not hold itself responsible for the consequences thereof, and that in the event of any further movements of troops taking place within the above-mentioned time in the nearer directions of our borders, this

Government will be compelled to regard that also as a formal declaration of war.

'I have, etc.,

'(Signed) F. W. REITZ, *State Secretary.*

(C. 9530, No. 53.)

In this peremptory, not to say arrogant, document, Mr. Kruger, it will be seen, called upon Her Majesty's Government to comply, within the space of less than thirty-six hours, with the following demands:

(1) To withdraw instantly all British troops on the borders of the South African Republic.

(2) To deport from South Africa all British troops which had arrived there since June 1, 1899; and

(3) To abstain from landing at any port in South Africa any of Her Majesty's troops then on the high seas.

Her Majesty's Government was given until 5 p.m. on the following day to accede to these demands, and was further notified that any movement of Her Majesty's troops within that time would also be at Her Majesty's peril. Mr. Bryce says that the paramountcy of Great Britain in South Africa is 'patent and unassailable.' But who can deny that it was assailed when he reads the above demands, in which President Kruger took it upon himself to warn Her Majesty's troops off the continent?

The declaration of war by President Kruger was followed by one from President Steyn. Lord Milner had informed him of Mr. Kruger's last despatch, and asked if it had his concurrence and support. The reply was as follows:

'The high-handed and unjustifiable policy and conduct of Her Majesty's Government in interfering in and dictating in the purely internal affairs of South African Republic, constituting a flagrant breach of the Convention of London, 1884, accompanied at first by preparations, and latterly followed by active commencement of hostilities against that Republic,[1] which no friendly and well-intentioned efforts on our part could induce Her Majesty's Government to abandon, constitute such an undoubted and unjust attack on the independence of the South African Republic that no other course is left to this State than honourably to abide by its Conventional Agreements entered into with that Republic. On behalf of this

[1] For this allegation there was not the slightest foundation (see C. 9530, p. 70).

Government, therefore, I beg to notify that, compelled thereto by the action of Her Majesty's Government, they intend to carry out the instructions of the Volksraad as set forth in the last part of the resolution referred to by Your Excellency' (C. 9530, p. 69).

To Mr. Kruger's ultimatum there could, of course, be only one answer, as Mr. Kruger very well knew in advance.[1] At 10.45 on the evening of Tuesday, the day on which it was received, the following telegram was sent to the High Commissioner:

'Her Majesty's Government have received with great regret the peremptory demands of the Government of the South African Republic. You will inform the Government of the South African Republic, in reply, that the conditions demanded by the South African Republic are such as Her Majesty's Government deem it impossible to discuss' (C. 9530, No. 57).

In delivering this message, Sir W. Greene, the British Agent at Pretoria, was instructed to ask for his passports. Negotiations were thus at an end. The rights and wrongs of the South African Question were now transferred by Mr. Kruger to the arbitrament of the sword.

Mr. Kruger's action in thus precipitating a conflict has been defended by some of those favourable to him and censured by others. The defence was that Mr. Kruger did not begin. 'On October 7,' said Mr. Morley, 'the proclamation was issued calling out the Reserves, and the Boer ultimatum was on October 10 or 11. When they were told, therefore, that the Boer ultimatum made the war necessary, do not let them be taken in by such language' (Speech at Palmerston Club, Oxford, June 9, 1900). The argument is, apparently, that the calling out of the Reserves was the provocation; but the Boer commandos had been mobilized on September 27. On the 29th the railways were taken over. The exodus from Johannesburg had already begun. On September 29 Mr. Steyn was informed that 'what he describes as the enormous and ever-increasing military preparations of Great Britain had been forced upon Her Majesty's Government by the policy

[1] It had already been intimated to President Steyn that any demand for the removal of British troops from South Africa would not for a moment be listened to (see C. 9530, p. 49).

of the South African Republic, which has transformed the Transvaal into a permanent armed camp'; on October 2 Mr. Kruger had told the Volksraad that war was inevitable; and on October 3 Mr. Steyn had commandeered all his burghers, and Mr. Kruger had commandeered (as he calls it) half a million's worth of other people's gold.

It is needless, however, to labour the point. In view of what actually occurred in the first stages of the war, it would be futile at this time of day to pretend that provocation in the way of military preparations came from our side. Others have blamed Mr. Kruger for issuing an ultimatum when he did. Thereby, it was said, he destroyed his justification. But here, I think (and said at the time), a distinction should be drawn. It is true that if Mr. Kruger had been honestly and sincerely negotiating—if he had been really willing to grant substantial justice to the new-comers, and wanted only to safeguard the internal independence of his State, then his declaration of war was, of course, a deplorable blunder. But if that hypothesis were correct, he would have accepted the British terms of September 8. If, on the other hand, he had all the while resolved to go to war sooner than admit the Uitlanders to any real share in the State, and unless he could extort from Great Britain an abandonment of her position of paramountcy, then his declaration of war was very natural, and, from his point of view, justifiable. It was only to be expected that he should desire to strike a blow before the arrival of further British reinforcements. Even as it was, Mr. Kruger waited a little too long. An ultimatum was originally drafted on September 26. It was amended after consultation with the Free State, and was intended for immediate presentation. The delay is said to have been caused by the lack of adequate transport arrangements.[1] By this delay and by the rapid

[1] See on these points '*Times* History of the War,' vol. i., chap. xii. The final form of the ultimatum is said to have been fixed at Bloemfontein. This supposition is borne out by the text of President Steyn's telegram of October 4 to Lord Milner. It closely resembles the ultimatum: 'It would be most difficult to attempt to make friendly proposals or continue to negotiate whilst the armed forces on both sides remain in menacing positions now occupied by them. But above all do

organization of the British force sent from India, the military situation on the British side was saved. From Mr. Kruger's point of view, then, the ultimatum was sent by no means too soon. It acted as an eye-opener to some of those in this country who were ill-informed about his real intentions. It was not an act of temper or precipitancy on his part.

The view was still put forward in some quarters that President Kruger was fighting for internal independence, and that the aim of Great Britain had been to force him into war. But how can these statements be reconciled with the facts? President Kruger declared war because he preferred so to do rather than to accept the peaceful settlement set out in the despatches of September 8 and 22—a settlement by genuine franchise reform, by arbitration, and by friendly conferences, accompanied by a guarantee of his independence. There is no getting away from this plain, simple issue. In the argumentative preface to his ultimatum, President Kruger complained of the British resolve to defend its subjects from oppression as a violation of the Convention of 1884, and denied the right of Her Majesty's Government to make even diplomatic representations on their behalf, except in regard to matters specifically reserved in the Convention. There could not be a clearer intimation that the policy of the Transvaal was to assail the whole position of Great Britain in South Africa. The Boers themselves no longer made use of any of the pretences with which the pro-Boers over here continued, and continue, to delude themselves. 'God would support them,' said President Kruger in a speech, 'until they were totally free of England.' 'He would go on commando,' said the Chairman of the

I consider it would not be practical to induce Government of South African Republic to make or entertain proposals or suggestions unless not only the troops menacing their State are withdrawn farther from their borders, but an assurance be given by Her Majesty's Government that all further despatch and increase of troops will at once and during negotiations be stopped, and that those now on the water should either not be landed or at least should remain as far removed as can be from the scene of possible hostilities' (C. 9530, p. 47).

Raad, 'with the determination that once for all their Republic must now become absolutely free' (Volksraad, October 6).

By the great mass of the British people throughout the world the real nature of the issues was now thoroughly perceived, and the response of the Empire to the call to arms was enthusiastic and universal. For weeks past we had all been immersed in considering the details of intricate negotiations, and people who had not a firm grasp of the whole subject were likely to be seriously misled by these minutiæ. Why quarrel, it was asked, about a difference between seven years and five in the term of probation for the franchise? Why, it was even asked, quarrel over a consonant? The answer is that these things were the accidents, not the essentials. The ultimatum from Mr. Kruger opened men's eyes to the facts. The real issues at stake in our controversy, not with 'the Transvaal' (for the majority of its white inhabitants were on our side), but with the Transvaal Government, were seen to be grave and far-reaching. They went deep down to the foundations of civil and political justice, and they affected profoundly alike the stability of the British Empire in South Africa and the honour and interests of that Empire throughout the world. It was no question of a fight merely for the franchise. The franchise had been put into the forefront as a means of leaving as many questions as possible to solve themselves. The ultimate object was, in Lord Salisbury's words, 'to secure the most elementary justice for British subjects,' 'to rescue British subjects from treatment which we should not think it right to endure in any country.' The ultimate formula for which we were contending in South Africa was not 'five years franchise,' but equality for the two white races. The ultimate question which had to be solved, in the sight and hearing of the Empire at large, was whether British inhabitants in a South African State were to be placed on a position of equality with Dutch, or whether they were to be consigned to a position of political servitude.

The war on our side was waged first to protect the

Queen's dominions from invasion, and ultimately to protect British subjects from oppression, to establish the equality of the two white races, and to uphold the position of Great Britain as Paramount Power in South Africa. It was war not for a consonant, but for a continent. The very terms of the ultimatum showed this. It was in the name of 'the whole of South Africa' (a phrase twice used in the ultimatum) that Mr. Kruger called on the Queen to withdraw her troops.

The Boers, on their side, when once the ground was cleared, made no pretence of having been driven into war on trivial pretexts or for trifling issues. It was, said President Steyn, in his proclamation to the burghers,[1] the position of Great Britain as Paramount Power that they were challenging. It was 'a century of wrong' that Mr. Reitz hoped to redress. He appealed to 'brother Afrikanders' against 'the murderers, the peace and treaty breakers, who are attacking us.' A few passages from his manifesto are worth citing:

'The nation that has encouraged race hatred, their Prime Minister and their anointed Queen who have allowed such a disgrace, have made themselves equally guilty with the evil-doers, and if it should now happen in South Africa as was the case in North America a hundred years ago, that "Ichabod" became the password of the British Empire, on whom will the blame rest?

'"If the blind lead the blind, they will both fall into the pit," and we shall be able—who knows how soon?—to declare of our enemies that "whom God wishes to destroy He will first make insane."

'The statesmen of England, the warriors, the press—ay, even the preachers—have so often declared to us and the whole world that the British Empire is a mighty Empire; but we know that whoever may be mighty, the Lord our God is Almighty.

'Brother Afrikanders! the great day is at hand. The God of our fathers will be with us in our struggles—the Lord, whose arm has not been shortened so that He cannot help those who call to Him in their time of trouble. Let us lay aside our trust in princes, and raise our eyes in supplication to God, our Banner. By His help we will do great deeds.

'Even as the mighty Spain, with her bloodthirsty Alva and her invincible armies, had to swallow the bitterness of defeat, so, too, will God give our enemies into our hands. Who are we, that the mighty England

[1] Dated October 11. Printed in the Blue-Book, Cd. 43, p. 139.

should send her thousands of mercenary troops against us? A young and weak nation, small in numbers and insignificant in military strength . . .

'Read the history of South Africa, and ask yourselves, Has the British Government been a blessing or a curse to this sub-continent? Brother Afrikanders! I repeat, the day is at hand on which great deeds are expected of us! WAR has broken out! What is it to be? A wasted and enslaved South Africa, or—a Free, United South Africa?

'Come, let us stand shoulder to shoulder, and do our holy duty! The Lord of Hosts will be our Leader.

'"Be of good cheer!"' (Cd. 43, p. 191).

'The great day is at hand'—the day for which Mr. Reitz himself had perhaps long been waiting, and which a long course of events and tendencies had prepared. The conflict of race, the conflict of political ideals, the conflict of ambitions, was now to be fought out on the field of battle. I believe that on our side were ranged the forces of progress and of civilization, and that God defended the right. The conduct of Mr. Kruger, Mr. Steyn, and Mr. Reitz cannot be justified; but we may at least admire, without reservations, the courage and tenacity with which their followers threw themselves into a struggle which, as they believed, was necessary for the protection of their land and liberties, and which was destined, by the logic of the stricken field, to deprive them of their national independence.

# PART IV

## SOME FALLACIES EXAMINED

## CHAPTER XXIV

### THE WAR NOT A 'CAPITALISTS' JOB'

The pro-Boer sentiment—Reasons for it—Natural prejudice against 'the capitalists'—Two stages of the Reform movement at Johannesburg—First stage long antecedent to the Raid, and independent of capitalists—Mr. Wessels on their political apathy—Mr. Lionel Phillips' letters—Second stage—Lead again taken by professional classes—Joined by working men—Lord Milner's testimony—The test of war—The Pretoria 'capitalists'—Corruption of the Kruger clique.

THE perception of the rights and wrongs of the Transvaal War has been obscured by a large number of very persistent fallacies. This is the common case with controversies which cover a long period of time and include a large number of facts. The British case, strong as it undoubtedly was in essentials, had its weak points. The Raid, for one. The Transvaal case, weak as it was in essentials, had elements wherein it appealed strongly to sentiment. In our own country the pro-Boer cult enlisted a considerable army of votaries. Perhaps only those whose lot has been cast among them can realize the intensity and bitterness of their creed. In some instances (though not in all) political hatred of Mr. Chamberlain, confusing the man with the cause, was responsible for their animosity. For the rest, it is not to be supposed that the creed was a mere perversity of judgment, or the result only of the bias of anti-patriotism. So, again, foreign opinion was very largely sympathetic to the Boers

and hostile to the British. Dr. Leyds' working of the press may have had something to do with this, and dislike of England on general grounds may have had more. But such explanations are insufficient. The fact is, that there was much on the surface and appearances of things which was calculated to repel sympathy from the British and attract it to the Boers. For one thing, the Boers were the weaker party, and there is always a supply of popular sympathy on hand for the 'under dog.' The Transvaal appealed to some as a 'Republic,' to others as a community of 'a few poor herdsmen.' Mr. Kruger was posed by some as a disciple of the Czar, standing up, in the midst of a world given over to brute force, for the sacred principle of arbitration. The British case was represented, on the one hand, as the case of bloated capitalists and Park Lane millionaires. British diplomacy was supposed to be shifty, and the Government insisted, we were told, on going to war, although nine-tenths of their demands had been conceded. These popular superstitions have already been noticed incidentally in the previous sections of this book, but it may not be amiss to deal with some of them a little more in detail.

Many of those who believe their country in the wrong are oppressed with the conviction that the war was 'a capitalists' job.' Mr. Reitz eagerly seized upon this conviction. Mrs. Olive Schreiner made it the text of her eloquent appeals. It was a cry which, once started, was sure of a wide vogue. The South African capitalist is not the most attractive species of an unpopular genus. He was known to have made enormous fortunes. Those fortunes were not always dissociated in their origin from tricks of the share-market which small investors or less fortunate speculators do not admire. The rich capitalist lived in luxury, and the spectacle of Britain spending the best blood of her sons at the bidding, as it was supposed, of the cosmopolitan gold-bugs of Park Lane was not a pleasant one. The Raid, in which some of the capitalists were certainly concerned, helped to intensify the prejudice against them. It was, then, extremely natural; but it was not entirely reasonable. After all, even the rich have their rights, and a case is not necessarily bad because

the men with the biggest stake in a country side with it.[1] Again, the idea that the mining community in the Transvaal was a community of bloated capitalists is, as we have already shown (p. 118), a delusion. A few men in various countries have made rich hauls out of the mines, the number including several Boers and their friends. But the bulk of the Transvaal mining shares are held by smaller investors, to whom the managers of the industry stood in fiduciary positions. To the skill and honesty of their management Mr. Kruger's own Industrial Commission paid a high compliment (p. 84).

These remarks touch, however, only the fringe of the subject. The real answer to the anti-capitalist prejudice is that the supposition on which it rests is demonstrably false. The war was not a 'job' engineered by the 'capitalists.' To suppose, indeed, that they wanted war for its own sake and at any price would be too absurd for argument. It is true that the capitalists had most to gain by reform. But it is also obvious that they had most to lose by a warlike solution. It may, however, be said that he who desires the end desires the means, and that the war is 'a capitalists' job' in this sense, that they engineered the agitation which ultimately brought about the war. It is not so. The origin of the war in this aspect of it is demonstrably to be found in the Reform movement in the Transvaal. The war was the direct outcome of the Uitlanders' petition of 1899, and that petition was the culmination of the Reform movement. That move-

[1] Mr. Rose-Innes has put this point very sensibly in the introduction to a reprint of his speech at Claremont (issued by the Vigilance Committee at Cape Town) on March 30, 1900: 'And we are not to be driven from this position by the charge, oft-repeated, that we are making common cause with the capitalists, nor by the baseless insinuation that we are in any unworthy way under their influence. If we consider a policy to be right, we cannot be seriously asked to run away from it merely because certain capitalists happen to agree with us. This is not the place to discuss the capitalist question ; but it is clear that the surest way to counteract the political influence of capital, where it is illegitimate, is to enfranchise those who are not capitalists. The grant of full and free political rights is the true antidote in such a case. Had the Transvaal Government given it a trial, the present position would never have arisen.'

ment had three stages, and in none of them was it a 'capitalists' job.' The first stage is that which culminated in the Raid; the second covers what we have called the years of grace; the third is that of the agitation which culminated in the petition to the Queen. Now, the first thing to be noticed is that the Reform movement was long antecedent to the Raid. It dates back to 1892, when the National Union was formed in Johannesburg. No doubt many honest folk believe that the Union was a capitalist league, but that is only because they have not taken the trouble to delve in the Blue-Books for the facts. The facts are that the National Union was the creation of professional men, and that not a single capitalist had anything to do with it.[1] The capitalists, so far from instigating it, were bitterly attacked by its authors for holding aloof. At the mass meeting of the National Union held at Johannesburg after Lord Loch's visit to Pretoria in 1894, Mr. Wessels denounced the political apathy of some classes of the population :

> 'Who were the people who were politically apathetic? First of all, the Court minions (much laughter). The gentlemen who assembled at six o'clock in the morning at the President's house to obtain some favour for themselves or their friends (laughter). The subsidized men who procured (loud laughter and cheers) these favourites were a worthless crowd, and need not be reckoned with. The next was the large capitalists (hear, hear, and cheers). It was a pitiful thing there were so many large capitalists (loud laughter). If the capital were more equally divided, there would be less political apathy. Those men stood like misers over their hoards, and were afraid to utter a voice when they saw them skulking through the streets of Pretoria. In other countries—in England, for instance—capitalists were in the vanguard of freedom. Here they were basely like the curs that followed a leader. Were they wise, and did they not see the sword hanging over their heads? Did they not know that the capital they annexed might be annexed by somebody else? Did they not know that the fatal thirteen at Pretoria might deprive them of it? The sooner they awakened to the danger their capital was in, the better for themselves' (C. 8159, p. 53).

Later on Mr. Rhodes and other capitalists had only too much to do with Johannesburg politics. But their action

[1] See on this subject an article by Mr. Charles Leonard in the *New Review* for April, 1896.

was to convert an existing Reform movement into a lawless raid. The theory that there were no real grievances and no genuine discontent, but that the whole Reform movement was fomented by capitalists, is the reverse of the truth.

The letters from Mr. Lionel Phillips, which were published in the Transvaal Green-Book of 1896 (in the English papers May 25, 26), show this. In 1893 a petition with 13,000 signatures, asking for an extension of the franchise, was presented to the Volksraad. Mr. Lionel Phillips' letters belong to July, August and September of 1894. In the earliest of them he reports to Mr. Beit that though the outlook is not very promising, he does not 'want to meddle in politics; and as to the franchise, I do not think many people care a fig about it.' True enough in the abstract. What most people care about is not so much the franchise, as the franchise's worth; what they smart under is not the absence of political privilege in itself, but the material disadvantages involved in the political disability. So it was with Mr. Phillips, as a typical capitalist of the Rand; for in his next letter he is, so to say, 'warming up' a little. He still cries a plague on politics, but he is becoming more alive to the way in which 'our interests might be affected by oppressive legislation.' Besides, the movement was in full swing, and the question was, Could the largest men afford much longer to keep out of it? 'At the rate at which things are marching,' he says, 'we cannot remain out of it altogether. Naturally, whatever we do must be done through others, but I do not think vested interests can afford to let things drift with indifference.' A month later Mr. Phillips found things more serious—and no wonder, for this was the time of the commandeering crisis and Sir Henry Loch's visit. There was 'seething discontent among the aliens.' But capitalists do not love political disturbances. 'Of course,' writes Mr. Phillips, 'we do not want any row; but, as I told Esselen and Leyds, if the Government or the Raad does nothing to pacify the people, we shall have a revolution sooner or later.' But his hope was to stave off 'a row' by other measures. An electoral fund was to be started 'to obtain a better Raad.' This was the capitalists' trump-

card—just as if they were brewers or Tories or even Liberals over here. A little later Mr. Phillips begins to talk of rifles (though only for defensive purposes, it seems), but further we need not follow him. He and his fellow-conspirators ruined a good cause by their lawless methods. They paid for their offence both in purse and in person, and were debarred from further political action.

In the next stage, then, the former set of capitalists disappear. They had spoilt the Reform movement. They had not created it. The capitalist leader during the years of grace was M. Rouliot, a Frenchman. The agitation in which he was concerned was industrial, not political. His attitude may be seen from his address at the annual meeting of the Chamber of Mines in 1898 (C. 9345, p. 37):

'To us here who represent large European capital invested in these mines, it is a duty to protect the interests of those who have followed us and participated in the development of this place. We have no wish to interfere with the conduct of general affairs of this country, but in justice to those whom we represent, we are bound to raise our voice when we see their interests imperilled. It is our earnest desire to convince the rulers of this Republic of our wish to work harmoniously for the common good, and to make them understand that the more the interests entrusted to our care prosper, the more the country will flourish. Our interests are identical; the immediate future of this country is bound up with that of the main industry; and it is to be regretted that instead of having peace and harmony, we notice only signs of mistrust. I am sorry to see so little response made to our advances, and to see how consistently our complaints and requests are ignored. As an illustration of this, you can remember how the huge memorial sent from here to the Volksraad at the beginning of the session was treated. It set forth all our complaints, specified the relief we asked for, and was signed by nearly 10,000 inhabitants of every nationality and belonging to every profession. Still, on account of a mere trivial technicality, it was not even taken into consideration. This has caused a painful impression, and made us reluctantly come to the conclusion that the industry not only is not enjoying from the Government that solicitude which it deserves, but is met rather in an antagonistic spirit, in spite of the oft-repeated statements that it is worthy of all consideration.'

Unhappily, Mr. Kruger, as we have seen (Chapter IX.), did nothing to remedy this state of things, and thus, in the end, the Reform movement gathered fresh strength from

fresh measures of repression. The lead was once more taken by the professional classes. Mr. Kruger very astutely tried to detach the capitalists. He offered them, as we have shown (p. 112), substantial economic advantages on condition that they would help him to damp down the political agitation. As Dr. Hillier puts it, the proposal 'amounted to a proffer of certain economical reforms which would benefit the mining industry, and thus put money into the pockets of the capitalist, provided that a mutilated Franchise Law, which would have been useless to the general body of Uitlanders, was also cheerfully accepted.' The capitalists refused the advances of Mr. Mephistopheles Reitz; they said they would accept no Franchise Law without first submitting it to the judgment of the general body of the Uitlanders. To this extent the capitalists were in the movement. But will any candid person, and above all, will any good Liberal, pretend that the capitalists were to blame for thus refusing to bargain away the political rights of the community at large for the price of concessions to the mining industry?[1] The conten-

[1] The following passages from one of Lord Milner's despatches (C. 9345, p. 183) are worth citing in this connection: 'It is noticeable that up to the present time their (the Uitlander leaders) action has been characterized by considerable unanimity. Though the advances made by the Government were at first confined to two or three persons, all that is going on is now known to a much larger number, and these include such widely diverse elements as the President of the Chamber of Mines (a Frenchman with no political bias) and the President and Secretary of the South African League. But though thus drawn from various sections of the community, the Rand representatives have so far stood very well together. Division may, no doubt, arise later on, but it is at least worthy of notice that at the outset, and in face of an offer which, from the purely commercial and money-making point of view, was very tempting, a heterogeneous body of Uitlanders have taken their stand on the necessity of genuine political reforms. It is on the franchise question that the negotiations are most likely to break down unless the Government is prepared very considerably to better its present offer. In view of the assertion so constantly made that the bulk of the Uitlanders are a mere crowd of money-grabbers, who do not care about political rights, or even their personal dignity, as long as they can fill their purses with sufficient rapidity, I think the circumstances to which I have called attention are worth remembering. . . . All this appears to me very creditable to a body of people whose true character and objects are still

tion is ridiculous, and the effrontery of Mr. Reitz, who tried and failed to carry out the deal we have described, in afterwards turning round and representing the political agitation as a capitalists' job, was really colossal.

The agitation next reached the last stage, which culminated in the petition to the Queen. The promoters of this second Reform movement were again, as in 1892, professional men, and the president of it lost his post in the employment of 'the capitalists' for mixing himself up in politics (see above, p. 118). The movement appealed also to the working classes. The agitation about the shooting of Edgar (himself a working man) was essentially a workingman's affair.[1] They protested against maladministration because they believed and felt their own lives and liberties to be insecure, not in order to please the gold kings of Park Lane. In the end, at the eve of the war, the truth or falsehood of the cry that the whole trouble was 'a put-up job' was submitted, as the High Commissioner pointed out, to the severest test.

'For weeks past,' he wrote on October 4, 1899, 'the industrial life of Johannesburg has been paralyzed; large numbers of British subjects have been thrown out of employment, and reduced to a condition of destitution which has called for a great and organized effort of public charity; and they, with their wives and families, have been daily fleeing from the town under every condition of hardship and privation. Is it humanly conceivable that a great community, brought into this position by the unscrupulous tactics of a few agitators, should not have disowned and denounced in the most vigorous manner those who professed to speak on their behalf? Indeed, it would not have been surprising if a certain portion, under pressure of suffering, had been tempted to dissociate themselves from a movement in which they had formerly participated,

very much misunderstood at home, as they are habitually misrepresented by the pro-Boer press of South Africa, with its wearisome denunciation of "capitalism" on the one hand and "political mischief-makers" (meaning the League) on the other. I have yet to learn that the League aims at anything more than the reasonably fair treatment of the non-Boer resident population in the Transvaal. And as for the leading financial and commercial men of the Rand, I do not think they can, in this instance, be accused of any want of public spirit.'

[1] See on this point the note of Her Majesty's Acting Agent at Pretoria, December 28, 1898 (C. 9345, p. 113).

and with which they were still in secret sympathy. But, so far from this being the case, not a murmur has reached me; and no more striking proof could possibly be given both of the temper of the British population and of their deeply-rooted conviction that anything is preferable to a continuance of the conditions under which they have had to live' (Cd. 43, p. 73).

The attempt to represent the movement as artificial, as the work of scheming capitalists or professional agitators, is, said the High Commissioner in another despatch, 'a wilful perversion of the truth' (C. 9345, p. 210). The origin and object of the perversion are obvious. It was worked indefatigably from first to last by the Transvaal Government. The pity is that the perversion was so readily accepted over here, and accepted, too, by Liberals who allowed unreflectingly 'the designing capitalist' to take the place, as author of all evil, of our old friend 'the designing agitator.' It is a pity, but it is not altogether wonderful. After all, it is much easier to form opinions by the light of prejudice than by the laborious process of hunting out the facts.

The 'capitalists' war' must, then, be consigned to the limbo of popular fallacies. The Uitlanders' petition was the genuine expression of genuine grievances. Can we honestly give as favourable an account of the oligarchy against which the petition was directed? I say the oligarchy advisedly, for, so far as the general body of the burghers is concerned, they were actuated, it is clear, by an honest belief that the struggle was one forced upon them for the protection of their liberties and their homes. But what were the motives of the oligarchy in resisting reform? They were mixed motives, no doubt; but it cannot be denied that they included motives of a 'capitalist,' not to say a corrupt, character.[1] The idea

[1] 'The real question is whether the governing Transvaal oligarchy will under any pressure short of war surrender in some material degree the exclusive power which they now enjoy of administering a rich, prosperous, and developing country according to their own ideas and to their own advantage. Theirs is a position which affords the tempting opportunity of emolument to the executive body, and of immunity from taxation to the remainder of a select and favoured community. It confers, in fact, the most cherished sweets of power, ever

that the struggle in the Transvaal was between foreign capitalists on the one side and 'poor herdsmen' on the other is quite grotesquely wide of the mark. As for Mr. Kruger himself, he, like some of his opponents, is a man of considerable wealth. He has been freely and persistently accused of personal corruption. The special correspondent of the *Manchester Guardian* went to Pretoria to investigate the accusations. 'One thing,' he reported, 'is certain—that Mr. Kruger has not what we should call a nice sense of honour in these matters.' This is the testimony of a witness who was certainly not likely to be prejudiced against the President. But there is no need to make this a personal matter. The Dynamite Monopoly is on record—a plain and palpable case of a capitalist job, which not even the most devoted Krugerites in this country have ever found it possible to defend. But to do the oligarchy justice, they allowed, at any rate, some of the spoils to 'go round.'

On this branch of the subject the investigations of the Concessions Commission appointed by the British Government in September, 1900, and presided over by Mr. Alfred Lyttelton, K.C., M.P., have thrown much fresh light. It appears from the evidence that the two leading monopolies in the Transvaal, the Dynamite Monopoly and the Netherlands Railway, employed large Secret Service funds in purchasing support in high places and in subsidizing opinion abroad. The railway company, as we shall see later (Chapter XXX.), acted as a kind of branch of the War Department. Anyone who did not happen to know anything about the Netherlands Railway Company might wonder what in the world this meant. The aim of most commercial undertakings in case of war is to preserve strict neutrality. Why did the company take the opposite course? It is easy, without prying into the possible political forces behind the company, to find a sufficient reason. The monopoly of the Netherlands Railway Company was one

dear to human nature. Once tasted, when have men laid them down without a struggle?' (Letter from Mr. Lawson Walton, K.C., M.P., in the *Times*, October 5, 1899).

of the main grievances of which the inhabitants of the Transvaal complained. It was bound up in a hundred ways with Krugerism. It stood or fell with Mr. Kruger. Internal reform or annexation by Great Britain was alike fatal to it. In fighting for Krugerism, therefore, it was also fighting for its life. And this brings us to another branch of the revelations. The Netherlands Company had gradually worked itself into the position of the financial department of the State. In this capacity it had, at the request of the State Secretary, subsidized Mr. Hargrove for what was called his 'conciliation tour'[1] in Cape Colony, and also paid an annuity to Mr. Reginald Statham for services rendered in England.[2]

The Secret Service Fund of the 'poor herdsmen' amounted in 1898 to £42,504. Where did the money go? In this connection it would be interesting to have full information about Dr. Leyds' press fund.[3] A study of this question is to be commended to those austere moralists among us who point to the unanimity of the foreign press as proof-positive of the wickedness and corruption of the British in venturing to protect British subjects against 'the poor herdsmen of Pretoria.'

[1] For some account of this tour, which is very entertaining in the light of the above-mentioned evidence, see the Blue-Book, Cd. 261.

[2] Mr. Statham has been referred to at p. 77 above. He stated in a letter to the *Daily News* of October 18, 1900: 'The Netherlands Railway Company had a perfect right to make the proposal, and I had a perfect right to accept it.' We need not question either statement, though the uninitiated might wonder what a railway company had to do with the matter. Mr. Statham is proud of his services. One of the chief abuses in the Transvaal was the status of the Netherlands Railway Company. Was it consistent on the part of a diffuser of 'accurate information' to withhold the information that he was in receipt of a salary from that company? That is the real question. Mr. Statham, it should be added, terminated his arrangement with the company before the war.

[3] See a remarkable telegram from the well-informed Paris correspondent of the *Daily News*, and published in that journal on November 4, 1899.

## CHAPTER XXV

### THE RIGHTS OF THE UITLANDERS

Contention that the Boers had an exclusive right to the Transvaal and that the Uitlanders were only on sufferance—No foundation for it in ethics or law—Uitlanders there by right under the Convention—Mr. Kruger's promise of equal rights in 1881—Sir Henry de Villiers on the importance of this promise—Mr. Kruger's invitation to Uitlanders in 1883—Mr. Gladstone's Transvaal policy defended by 'equal rights for all settlers of whatever origin.'

HAD the so-called Uitlanders any rights in the Transvaal? This question is one of those which go to the root of the whole matter. Mr. Kruger has always shown himself a clever chooser of words. Never was he more clever than when he gave the name of Outlanders to the British and other settlers in the Transvaal. It begged the question beautifully, and passing into common currency, accepted even by the persons designated, it stamped them with an inferior status. In fact and in law, they were not Outlanders at all, but Inlanders. Misapprehension on this point has greatly obscured in many minds the true rights and wrongs of the South African struggle. The Boers, it is said, wanted only to be left alone. Theirs was the land and everything that was beneath it. They did not want the Uitlanders to come in, and it was only by act of grace that they received the strangers within their gates at all. The Uitlanders simply came in to make their fortunes, and ought to think themselves highly favoured that they were allowed to make so much. They had no right to be there at all, and therefore the Imperial Government was under no duty or obligation to listen to their grievances.

The premises on which this argument rests are one and

all devoid of reasonable foundation. 'The land belonged to the Boers.' What was the land? The Transvaal is a country as large as England, Wales, Scotland, and Ireland put together. It was inhabited by two classes of people. One of them, the Boer population, numbered about 67,000 persons. The other class numbered some 150,000 persons. The rights of the former class to the land must in any case have been subject to the performance of duties—of duties towards the majority of the inhabitants, and of duties also towards civilization as a whole. To some of us it will seem that the Boers had no Divine right either to imprison the natural wealth of the country, or to hold in subjection all inhabitants other than themselves. But it is unnecessary to follow any such *a priori* argument,[1] for the British new-comers had definite rights in the Transvaal—rights in some respect as good and the same as those of the Boers themselves—legal rights derived both from formal documents, and moral rights derived from Mr. Kruger's words and deeds.

Let us follow up these rights in detail and to their source. (1) In 1881 the Transvaal was restored to the Boer Government, but on conditions. Self-government was accorded by the preamble not to a section of the inhabitants, but to 'the inhabitants.' One of the conditions was this (Article XXVI.):

> 'All persons, other than natives, conforming themselves to the laws of the Transvaal State (*a*) will have full liberty, with their families, to enter, travel, or reside in any part of the Transvaal State; (*b*) they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*) they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed upon Transvaal citizens.'

This condition was repeated in the same words in the Convention of 1884 (Article XIV.). It will thus be seen that the so-called Uitlanders were in the Transvaal not by favour, but of right. 'The Uitlanders, and all who may join them, with their issue for all time coming, had the right to inhabit

[1] The argument is well stated, from the Fabian standpoint, in Mr. Bernard Shaw's 'Fabianism and the Empire.'

the Transvaal and possess property there, and they had this right in virtue not of any letters of naturalization or permission from the Boer Government, or of any statute of the Boer Legislature, or by treaty from which the Boers could withdraw their consent, but in virtue of a right secured to them by Great Britain in granting the fundamental charter of the country' (Professor J. Dove Wilson, in the *Juridical Review*, March, 1900). The term Uitlanders was itself fallacious. They were not outsiders, and they had as much right and the same right to be in the Transvaal as Mr. Kruger himself.

(2) Further, Mr. Kruger obtained the restoration of the Transvaal by promising to the non-Boer population exactly the same political rights as should be enjoyed by the Boer population. The Convention of 1881 was based on the report of a Commission appointed 'to inquire into all matters relating to the settlement of the Transvaal Territory.' The Commissioners were Sir Hercules Robinson (President), Sir Evelyn Wood, and Sir Henry de Villiers. They held several conferences with Mr. Kruger and other Boer leaders. At one of these conferences (on May 10, 1881) the following conversation took place:

'PRESIDENT: Before annexation, had British subjects complete freedom of trade throughout the Transvaal? Were they on the same footing as citizens of the Transvaal?

'MR. KRUGER: They were on the same footing as the burghers; there was not the slightest difference, in accordance with the Sand River Convention.

'PRESIDENT: I presume you will not object to that continuing?

'MR. KRUGER: No. There will be equal protection for everybody.

'SIR E. WOOD: And equal privileges?

'MR. KRUGER: We make no difference so far as burgher rights are concerned. There may perhaps be some slight difference in the case of a young person who has just come into the country.'[1]

At a further conference (on May 26) these assurances were confirmed and amplified by Dr. Jorissen, one of the representatives of the Boers, in the following terms:

[1] Transvaal Royal Commission Proceedings, Part II., C. 3219, p. 25.

'DR. JORISSEN: . . . At No. 244 the question was: "Is there any distinction in regard to the privileges or rights of Englishmen in the Transvaal?" And Mr. Kruger answered: "No, there is no difference"; and then he added, "There may be some slight difference in the case of a young person just coming into the country." I wish to say that that might give rise to a wrong impression. What Mr. Kruger intended to convey was this: According to our law a newcomer has not his burgher rights immediately. The words "young person" do not refer to age, but to the time of residence in the Republic. According to our old "Grondwet" (Constitution) you had to reside a year in the country' (Part II. of the Proceedings of the Transvaal Royal Commission, C. 3219, p. 53).

Nothing could be more definite or precise. Mr. Kruger's promises on this point seem to me vital to a correct judgment on the rights and wrongs of the question. I cited them in the *Daily News* first on May 2, 1896, and often subsequently. It was said that I laid too much stress on the point. It is quite true that Mr. Kruger's word turned out to be a different thing from his bond. He was believed so implicitly at the time, that the promise was not explicitly embodied in the Convention, and on that ground Mr. Reitz repudiated all obligations in the matter.

In the Swaziland Convention, which Lord Loch concluded in 1894, the political privileges of a Transvaal burgher were expressly reserved for all bonâ fide white male residents. It is greatly to be regretted that British negotiators in 1881 and 1884 were so confiding as to accept Mr. Kruger's verbal promise as sufficient guarantee.[1] The 'rural simplicity' of the Boer was too sharp for some of our most eminent administrators and statesmen. Suppose that to Lord Rosmead's question, 'Will equal privileges be given to all comers?' Mr. Kruger had replied, 'Certainly not!' would he have obtained the Convention? I do not for a moment believe it. The matter has now been clenched by the testimony of one of the British Commissioners—testimony all the more striking because the witness is himself an Afri-

[1] It is, however, arguable whether, in view of the fact that the Uitlanders were not aliens but lawful inhabitants, any express provision was necessary (see Professor Dove Wilson's article referred to above). He maintains that in law an express provision was required in the Convention if equal rights were to be *denied*.

kander. 'I am quite certain,' wrote Sir Henry de Villiers to President Steyn on May 21, 1899, 'that if in 1881 it had been known to my fellow-Commissioners that the President would adopt his retrogressive policy, neither President Brand nor I would ever have induced them to consent to sign the Convention. They would have advised the Secretary of State to let matters revert to the condition in which they were before peace was concluded, in other words, to recommence the war' (Cd. 369, p. 1, and in a letter to Mr. Fischer, July 31, 1899, p. 3).

Mr. Kruger, then, obtained the restoration of the Transvaal by promising equality of treatment to all comers, and as to their right to come, they had it by the Conventions.

(3) But this is not all. When gold began to be discovered in the country, Mr. Kruger's Government, being anxious (like other Governments) to have their resources augmented, invited the Uitlanders to come in, and promised them every assistance in their work.

In December, 1883, President Kruger and a deputation of the Transvaal were in London for the purpose of petitioning Her Majesty to remove certain grievances under which the South African Republic professed to labour by reason of certain provisions contained in the Convention of 1881. Some discussion was proceeding in the newspapers at the time as to the good faith of the Transvaal Government towards those who were prepared to develop the mineral resources of that country, then in their infancy. In order to obtain a definite and authoritative statement as to the future intentions of the Transvaal Government, should the new Convention be agreed to, the Lisbon-Berlyn Company addressed a letter to the Transvaal delegates requesting that the anxiety of the public might be allayed on the subject. The following reply (in which the italics are mine) was thereupon received and published in the newspapers (*Times*, December 22, 1883):

'ALBEMARLE HOTEL, ALBEMARLE STREET, W.
*December* 21st, 1883.

'SIR,

'I am directed by the President and deputation of the Transvaal to acknowledge your letter of December 19th, inquiring whether the

Transvaal Government will view with satisfaction the development of the properties on which concessions have been granted, and whether the companies acquiring concessions can count upon Government protection. In reply, I am to state that the President and deputation cannot refrain from expressing surprise and indignation at your directors thinking such an inquiry necessary, as it is absurd to suppose that the Government of the Transvaal would grant a concession on the Lisbon and Berlyn or any other farm or plot of ground and then refuse to protect the rights conveyed thereby. *The Government desire to see the mineral resources of the Transvaal developed to their fullest extent, and will give every assistance incumbent on them to that end.*

'I have the honour to be, sir, your obedient servant,

'EWALD ESSELEN (Secretary).

'J. DAVIES, ESQ., Secretary to the Lisbon-Berlyn (Transvaal) Gold 'Fields (Limited).'

So far, therefore, from its being true (as has often been alleged) that the Uitlanders 'well knew the disabilities under which they would labour if they entered the Transvaal,' they were assured in 1883 by the deputation from that country (at the head of which was President Kruger) that 'the Government desire to see the mineral resources of the Transvaal developed to their fullest extent, and will give every assistance incumbent on them to that end.'

The Uitlanders in after-years claimed no more than the same franchise and other fundamental laws of the Republic as governed that country at the time they received this distinct invitation of the Transvaal authorities to develop the mineral resources of that State. It is remarkable that just as the Convention of 1881 was obtained by Mr. Kruger promising political equality, so the Convention of 1884 was preceded by a promise of industrial encouragement. The Uitlanders, then, were in the Transvaal by natural right, by Conventional right, under promises (for which valuable consideration was given) and by express invitation.

The contention that the Uitlanders were in the country on sufferance is, therefore, a complete fallacy. That it should have deceived many Liberals is astonishing, for the great Liberal leader's policy in the Transvaal rested for its justification on the contrary case. Mr. Gladstone's policy in the retrocession of the Transvaal was fiercely assailed.

How did he defend it? By explaining that no Boer ascendancy would be set up, but that all the white races would be in a position of equality. The 'loyalists,' who were the Uitlanders of that day, had appealed to him against the retrocession. The following was his reply:

'The memorialists (the loyalists, or Uitlanders) estimate the proportion of settlers not Transvaal Boers at one-seventh. Nearly, though not quite, the whole of the Boers have appeared to be united in sentiment; and Her Majesty's Government could not deem it their duty to set aside the will of so large a majority by the only possible means—namely, the permanent maintenance of a powerful military force in the country. Such a course would have been inconsistent alike with the spirit of the Treaty of 1852, with the grounds on which the annexation was sanctioned, and with the general interests of South Africa, which especially require that harmony should prevail between the white races.

'On the other hand, in the settlement which is now in progress, every care will be taken to secure to the settlers, of whatever origin, the full enjoyment of their property and of all civil rights.'

Mr. Gladstone's principle, it will be seen, was respect for the will of the majority of the inhabitants. His ultimate policy was to secure harmony between the two races. His pledge was that the Uitlanders (then a minority) should be secured in 'the full enjoyment of all civil rights.' It is said that Mr. Gladstone did not foresee the inrush of the gold-seekers. He did not. But sound principles are good for all cases, and can it for a moment be believed that Mr. Gladstone would have denied the existence of rights, which he intended to secure, because the persons entitled to them had become more numerous than he expected? When Mr. Gladstone gave his answer to the loyalists, he was relying on the fulfilment of Mr. Kruger's promises. There was to be 'no difference so far as burgher rights are concerned.' The settlement of 1881 was challenged in the House of Commons. A vote of censure was moved by Sir Michael Hicks-Beach (July 25). Mr. Gladstone met the censure not by a direct negative, but by an explanatory amendment. It was moved by Mr. Rathbone, and the terms of it were settled by Mr. Gladstone himself.[1] According to this amendment

[1] My authority for this statement is Sir Henry Fowler, who seconded the amendment. See his speech at Wolverhampton, November 9, 1899.

the concession of limited independence to the Transvaal was intended 'to provide for the full liberty and equal treatment of the entire white population,' 'to guard the interests of the natives,' and 'to promote harmony and goodwill among the various races in South Africa.' Every one of those intentions was frustrated by the action of the Transvaal Government. So far from equal treatment being the rule in the so-called South African 'Republic,' Mr. Kruger divided the population into two classes: a British majority, paying nearly all the taxes, but enjoying no representation and carrying no arms; and a Dutch minority enjoying all political power, and combining with the monopoly of the vote the monopoly of the gun. The amazing thing is that followers of Mr. Gladstone should have been found to apologize for this flouting of their leader's purposes, and to declare that the Uitlanders had no right to be in the Transvaal at all.

# CHAPTER XXVI

## THE TRANSVAAL AS A 'REPUBLIC'

False coins in political terminology—American sympathy with 'Republics'—Confusion of ideas—'Republics' not necessarily democratic—'The South African oligarchy'—Abuses of oligarchical institutions.

GREAT in human affairs is the influence of high-sounding names. Mr. Kruger, whatever other mistakes he may have made, always kept a firm hold of this fact. Among the terms which have formed the most valuable portion of his political stock-in-trade are 'Republic' and 'Arbitration.' It was not for nothing that he obtained from Lord Derby in 1884 the right to use the title 'South African Republic.' I have said something already about the adjective (p. 36). The noun has also been a valuable asset to Mr. Kruger. There is something in the word 'Republic' which appeals to the sympathies of lovers of liberty. People on the spot, and others who had taken the trouble to learn the facts, knew, of course, that the South African Republic was the negation of what is commonly understood by Republican government. But terms have more influence over the minds of the unreflecting majority than the facts behind the terms. It was enough for thousands and thousands of otherwise well-informed persons that the Transvaal was a 'Republic.' This convinced them that the issue was between Republican freedom and monarchical tyranny. It is very absurd, but it is not unintelligible. Mr. Kruger knows well how to trade with the false coins of political terminology.

Nowhere has this false coin—the South African Republic—passed more widely current than in America. The Vene-

zuelan message of President Cleveland showed how much sympathy could be evoked for any country which called itself a Republic, how much animus could be stirred up against our own country because it is nominally a Monarchy. The same spectacle has been exhibited in the present case. To a considerable extent American opinion has been on the side of the Transvaal, substantially for no other reason than that it called itself a Republic, while Great Britain calls itself a Monarchy. The similarity of names misled men's minds. It was supposed that the South African 'Republic' corresponded to the democratic State which Americans associate with the term. Mr. Kruger knew well how to play up to this fallacy. 'I send my greetings,' he wrote, 'to the President and people of the United States. . . . The great American nation, which had more than a hundred years ago to fight the same British nation to secure their liberty, will know how to sympathize with a little sister Republic' (message to the *New York Journal*, December 24, 1899). The appeal was to a confusion of ideas and an ignorance of the facts. The terms 'Republic' and 'Monarchy' are not true opposites, except in the limited extent that they refer respectively to different methods of providing a Head to the State. A Republic may be monarchical, oligarchic, or democratic. Rome was nominally a Republic both under the oligarchic Senate and the Imperial tyranny. The Republic of Venice was an aristocratic oligarchy. In the modern world there are twenty nominal Republics, but only three of them are really democratic States—namely, France, Switzerland, and the United States. 'There is not a Republic in the whole world,' says an American writer, 'not even including France and Switzerland, in which an American citizen is as justly and liberally treated as he is under the Monarchies of Denmark, Holland, Belgium, and Great Britain; while the treatment of Americans in France and Switzerland is not one whit better than it is under the Imperial Governments of Austria and Germany. . . . Would anyone, desiring to cite a case of a free and well-ordered community, go to Hayti, or San Domingo, or Guatemala just because these States are called Republics? There is

not a Republic on earth, except Switzerland and our own United States, in which there is even an approximation to the honesty of administration found in at least six European Monarchies; nor anything like the combination of governmental honesty, judicial impartiality, equality of rights, personal liberty, and liberality towards Americans, which can be found in those Monarchies and in all of the British Colonies' (Thomas B. Shearman in the *North American Review* for April, 1900).

It is clear to anyone who knows the facts that the self-governing Cape Colony, which is part of a Monarchy, corresponds far more closely to the American ideal of a Republic than did the close oligarchy which was called the South African Republic.[1]

For what are the facts? A country as large as France was ruled by President Kruger and a Volksraad of twenty-four members, in which two-thirds of the population, who owned half the land and a larger proportion of all the other property, had absolutely no voice whatever. Mr. Kruger was last elected President in 1898. He received 12,800 votes. But there were in the Transvaal more than 60,000 adult white males. The vast majority of the inhabitants had no votes. Nor is that all. The disfranchised were precisely those who in other communities would be held to be the most fit for citizenship. Here is the summary of the matter given by Sir Henry Meysey-Thompson:

'Those who have no votes hold nearly all the mines, houses, mercantile businesses, freeholds in town, etc. Probably of the wealth of the country not nearly one-tenth is possessed by the holders of political power. Some people would say the best educated should rule. Apply this test. The Boer farmers, who have the majority of the votes, are notoriously ill-educated; not only are many of them unable to read and write, but they live in remote districts, and take no interest in any but local affairs. On the Rand there are many of the most intelligent citizens the world can

[1] It was with the idea of combating the confusion of ideas above explained that I tried to put into currency the phrase 'The South African Oligarchy' (*Daily News*, March 25, 1896).

produce belonging to many nations—Americans, Germans, French, and Austrians, as well as English. Engineers and chemists, financiers, men engaged in large mercantile businesses—all these are considered unfit to take any share in public business in the Transvaal. You have accordingly an extremely curious and abnormal state of things. You have the wealth, the education, the energy, the knowledge of the world, the large majority in numbers of the white population on one side, and a small minority, possessing neither education nor wealth, nor knowledge of affairs on the other, who claim a Divine right to govern the majority, and to dispose of their property as they please' (*Nineteenth Century*, February, 1898).

The term 'South African Republic' was very misleading as applied to such a State. The real form of government was that of a rigid oligarchy. There are some who say—

> 'For forms of government let fools contest;
> Whate'er is best administered is best.'

The oligarchic constitution of the Transvaal might have been tolerable if the administration had been good. But it was bad. The corruption and inefficiency associated with Mr. Kruger's régime were an insult to the best Republican ideals. His Industrial Commission recognised the point, and made it in so many words. 'Your Commission entirely disapprove,' they said (C. 9345, p. 3), 'of the concessions through which the industrial prosperity of the country is hampered. Such might have been expedient in the past, but the country has arrived at a stage of development that will only admit of free competition according to Republican principles. This applies more especially to the gold industry, that has to face its own economical problems, without being further burdened with concessions that are irksome and injurious to the industry, and will always remain a source of irritation and dissatisfaction.'

Mr. Merriman, friendly though he was to the Transvaal, saw clearly enough the absurdity of its posing as a 'Republic.' 'The greatest danger of the future,' he wrote to Mr. Steyn (March 11, 1898), 'lies in the attitude of President Kruger and his vain hope of building up a State on the

foundation of a narrow, unenlightened minority, and his obstinate rejection of all prospect of using the materials which lie ready to his hand to establish a true Republic on a broad, liberal basis. The report of recent discussions in the Volksraad on his finances and their mismanagement fill one with apprehension. Such a state of affairs cannot last. It must break down from inherent rottenness, and it will be well if the fall does not sweep away the freedom of all of us. I write in no hostility to Republics. My own feelings are all in the opposite direction; but the foes of that form of government are too often those of their own household' (Cd. 369, p. 6).

The confusion of ideas and ignorance of facts by which the South African Republic traded on the sympathies of lovers of liberty were intelligible enough in the case of those far removed from the scene and devoid of direct interest in the dispute. It is less easy to understand why this Republican fallacy should possess the minds and disturb the consciences of Englishmen. It is a sad thing, we are still told, that free England should be engaged at the beginning of a new century in snuffing out a Republic. There are elements of pathos in the situation, certainly, and war at all times and in any case is a terrible calamity. But we need not suppose that the sacred cause of liberty is in peril. We may sum up in the words of one of many American writers who perceived the hollowness of the Transvaal's appeal to the United States as 'a sister Republic.' 'The war is on,' said the *Outlook*, one of the most prominent and influential religious papers in the United States, 'and the present question is not, How might it have been avoided? but, What is its result likely to be, and what its effect on the continent of Africa? Upon that question there can be no doubt. It is a war between progress and inertia, Republicanism and oligarchy, civilization and—not barbarism, but intellectual sloth. Let us not be confused because the Transvaal is called a Republic and Great Britain is called an Empire. The Transvaal is not a Republic. Calling it so does not make it so. . . . A true Republic, where there

is now an oligarchy, a living commerce encouraged by law where now commerce is overtaxed and unrepresented, these, we anticipate, will be the results of the war in the Transvaal' (October 31, 1899). 'We believe that neither justice, liberty, nor civilization would be favoured by the victory of the Boers, and all three will be at the last the gainers in the victory of the British.'

## CHAPTER XXVII

### MR. KRUGER AND ARBITRATION

Contention that the war was caused because the British refused arbitration—The Transvaal and the Hague Congress—British offered limited arbitration to Mr. Kruger—Foreign element to be excluded: reason for this—Mr. Kruger's attempt to get foreign arbitration in 1883—Recapitulation of the 1899 despatches on this subject—Scope to be limited, but Lord Milner otherwise favourable to the idea—Accepted by British Government—Continuously offered by them—Transvaal's shifty treatment of the question.

THE fallacies with which we have been dealing in the last three chapters are connected with the general rights and wrongs of the war. We have now to examine some others, which are concerned with particular aspects of the negotiations, in detail.

The word 'arbitration' played some part in those negotiations. The war came about, it is represented, because the British Government would not listen to that blessed word. And herein, it was added, on the Continent and elsewhere, observe what hypocrites these British be! Lord Salisbury sent delegates to the Hague to support pious resolutions in favour of arbitration, and then, as soon as there was a case in point, he declined to arbitrate. Now, it may be remarked at the outset that the Transvaal, not being a Sovereign Power, was not one of the parties to the Hague Convention, and that therefore the resolutions of the Convention do not apply.

But apart from this point, it is simply not true to say without qualification that the British Government 'declined to arbitrate.' The British Government agreed to arbitrate, but with two limitations. It excluded foreigners, and ex-

cluded some subjects. The reason for the first limitation is obvious; it goes right down to a fundamental issue in this controversy. The Transvaal claimed to be a Sovereign International State. Great Britain absolutely repudiated that claim. Disputes between the two Governments are of the nature of internal quarrels, and must be decided by a tribunal limited to Great Britain and South Africa. The limitation required by Great Britain in the scope of the tribunal was clearly explained by Lord Milner in his despatch after the Bloemfontein Conference:

'I expressly guarded myself against the idea that arbitration was applicable to all differences. I was thinking, as I indicated, more especially of the question whether the laws of administration of the South African Republic were fair towards its foreign residents. It is, of course, absurd to suggest that the question whether the South African Republic does or does not treat British subjects resident in that country with justice, and the British Government with the consideration and respect due to any friendly, not to say "suzerain," Power, is a question capable of being referred to arbitration. You cannot arbitrate on broad questions of policy any more than on questions of national honour' (C. 9404, p. 5, § 35).

Here is a clear issue. Those who taunt Great Britain with refusing arbitration must not confine themselves to generalities; they must say that she ought to have referred to an arbitrator the question how much redress she is to ask for the ill-treatment of her subjects in a State of which she was in some sort the suzerain. Does anybody really think this?

The two limitations insisted upon by Great Britain were, then, entirely reasonable. With regard to the latter—the limitation of *scope*—the Transvaal Government itself, as we shall see, at one stage of the negotiations proposed such limitation. With regard to the former limitation—the exclusion of a foreign element—this, no doubt, was very distasteful to Mr. Kruger. It was precisely the foreign element that he most wanted, because its introduction would have negatived the paramountcy of Great Britain in South Africa, and have implied the status of the Transvaal as a Sovereign International State. What Mr. Kruger desired was shown in the Draft Treaty which he submitted

in 1883 to Lord Derby. Article 8 of the Draft was as follows (C. 3947, p. 11):

'Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the contracting parties cannot come directly to a satisfactory arrangement, to the decision of a Commission of Arbitrators.

'The Commission of Arbitrators shall be selected by both parties, so that each of the parties shall nominate an arbitrator, or an equal number of arbitrators, as the case may require.

'If the arbitrators, or a majority of them, cannot agree, the controversy shall be submitted to the decision of the President of the United States of America, and, on his refusal, to the decision of the head of another independent Power.

'The decision of the arbitrators, and if they cannot agree, the decision of the President of the United States of America, or of the substituted Power, shall be binding upon both contracting parties.'

The proposal was too much even for Lord Derby, and he summarily rejected it. Do those who say that the war came about because 'England refused arbitration' mean that England ought to have agreed to (1) unlimited arbitration (2) by a foreign arbitrator?

England did not 'refuse arbitration.' It is true that she refused unlimited foreign arbitration; but, with this limitation, she assumed throughout the negotiations an attitude favourable to arbitration. A study of the despatches must already have convinced the candid reader that on this question a large measure of agreement had apparently been reached. That the appearances were deceptive, that they did nothing to bring about a general agreement, was demonstrably not the fault of the British Government. Let us bring the documents together and see.

Mr. Kruger brought up the subject of arbitration at the Bloemfontein Conference. Lord Milner's policy thereon, which was adopted by the British Government, was very clearly defined. He declined in any case to entertain the idea of arbitration by any Foreign Power, and there were some questions which he declined in any case to regard as arbitrable. To this extent, then, he ruled arbitration out. But he, on August 8, 1899, stated at the Bloemfontein Conference, and he explained more fully in subsequent

despatches, that he was decidedly favourable to the idea of arbitration in some cases and under some conditions. In his despatch of June 14 he says:

> 'It could not be supposed that in future (*i.e.*, if an amicable settlement were now arrived at) questions of difference would not occasionally arise between us—seeing the intimacy and complexity of the relations between the South African Republic and Her Majesty's South African dominions—where such questions were not general questions of policy, but differences as to the interpretation of a particular clause of a particular document. . . . What was to be done to solve them? Arbitration of some sort would appear to be inevitable, although the constitution of a suitable tribunal would always be a matter of difficulty.'

What the High Commissioner desired was 'a regular and automatic settlement of future differences.' In another despatch (June 10) he expressed his readiness to submit to the same tribunal 'even some questions which exist at present.'

The High Commissioner, then, was distinctly favourable to the idea of arbitration. What he objected to was mixing up the question of arbitration on other matters with the primary and essential matter of the franchise. The Conference proved abortive, not because the British Government declined arbitration, but because Mr. Kruger declined to come to terms about the franchise. On June 9, immediately after the Conference, the Transvaal Government resumed the subject of arbitration—of 'arbitration on differences arising out of the varying interpretations of the terms of the London Convention.' To this principle Mr. Reitz expressly said in his despatch that the High Commissioner had at the Conference shown himself to be favourable. Mr. Reitz proceeded to submit a scheme. We need not go into all the details. But particular attention should be given to these three points:

(1) What the Transvaal asked for at this stage was arbitration, as above said, on the terms of the Convention;

(2) 'On the understanding, however, that no matters or differences of trifling importance shall be submitted to arbitration'; and

(3) 'That each side shall have the right to reserve and

exclude points which appear to it to be too important to be submitted to arbitration.'

It is represented now that the war came about because Mr. Kruger asked, and the British Government refused, arbitration. The representation in the light of this despatch of June 9 is quite farcically untrue. Mr. Reitz's scheme was a sham scheme on the face of it. So far from wanting universal arbitration, even on the Convention, he wanted to exclude both 'trifling' matters and 'important' matters. 'Trifling' matters, according to Mr. Kruger, would, we suppose, have been all complaints of the British Government. It will be remembered that he referred at the Conference to 'the little coolie matter,' meaning thereby (as Lord Milner said) the grievance of Her Majesty's Indian subjects, which had been a burning controversy for ten years. We can attach no interpretation to the despatch other than this, that Mr. Kruger wanted to reserve complete liberty of action, while at the same time talking about the blessings of arbitration.

The British Government, however, took up the discussion as in good faith. They objected to foreign arbitration (a point which Mr. Kruger himself had waived at the Conference, but reintroduced on June 9), but they expressed their willingness to consider a scheme. In his reply of July 27, Mr. Chamberlain said:

'Her Majesty's Government recognise that the interpretation of the Conventions in matters of detail is not free from difficulty. While, on the one hand, there can be no question of the interpretation of the preamble of the Convention of 1881, which governs the Articles substituted in the Convention of 1884, on the other hand there may be fair differences of opinion as to the interpretation of the details of those Articles, and it is unsatisfactory that in cases of divergence of opinion between Her Majesty's Government and the Government of the South African Republic there should be no authority to which to refer the points at issue for final decision. If, therefore, the President is prepared to agree to the exclusion of any foreign element in the settlement of such disputes, Her Majesty's Government would be willing to consider how far and by what methods such questions of interpretation as have been above alluded to could be decided by some judicial authority whose independence, impartiality, and capacity would be beyond and above all suspicion' (C. 9518, p. 11).

In the face of this explicit pledge, it is absurd to say in round terms that Her Majesty's Government 'refused arbitration.'

In their despatch of August 19, the Transvaal Government inserted as one of their conditions 'to agree to arbitration.' On August 28 Her Majesty's Government agreed to a discussion of the form and scope of a Tribunal of Arbitration, from which foreigners and foreign influence were excluded. They agreed also that an Orange Free Stater should not count as a foreigner. On September 2 the Transvaal Government was 'pleased to see that Her Majesty's Government is ready to enter on negotiations touching the scope and form of a Court of Arbitration,' though it wanted to know what subjects would be excluded. On September 8 Her Majesty's Government expressed their readiness 'to make immediate arrangements for a further conference to settle all the details of the proposed Tribunal of Arbitration.' The fairness, reasonableness, and moderation of the British despatch of September 8 were recognised at the time on all hands, and on all hands Mr. Kruger was advised to accept its proposals—though with an amazing lack of principle, which has never been explained, many persons in this country turned round when Mr. Kruger rejected the despatch, and declared that he was right and the British Government wrong. Up to this point, it will be seen, the discussion on arbitration had proceeded satisfactorily, and the British Government had thought to arrive at a conclusion acceptable to the Transvaal.

Nor at the next stage was arbitration made to appear as the hitch. On September 15 the Transvaal Government 'welcomed with much pleasure prospect disclosed by Her Majesty's Government of the introduction of a Court of Arbitration for the decision of all (*sic*) points of difference and points to be discussed at the Conference.' What precisely this means we do not know, but at any rate the Transvaal Government went on to say that it was 'ready and willing to co-operate towards the composition of such a Court.' It is monstrous, in view of these facts, to

represent the British Government as having made peace and good relations impossible by their 'refusal of arbitration.'

The final reply to the despatch of September 8 was the ultimatum drafted on September 26, and presented in a revised form on October 9. In the revised draft a condition about arbitration—and this time arbitration 'on all points of mutual difference'—was inserted. But (1) it was coupled with other conditions which made the rejection of the whole ultimatum absolutely certain, and (2) in the original draft (if the *Times* historian, who quotes it, be correctly informed) no mention was made of arbitration whatever. It was a fitting finale to the chapter of the Transvaal's shifty and tricky diplomacy on this point. But arbitration is a blessed word, and of what avail are facts when the emotions are stirred? The truth will prevail in the end; but in the meanwhile many worthy people will doubtless remain under the comforting but utterly false persuasion that the peace-loving President of a Government administered on Republican principles was driven to go to war because the British Government had declined to listen to the idea of arbitration.

## CHAPTER XXVIII

### THE 'NINE-TENTHS' FALLACY

Sir Edward Clarke's speech—Mr. Chamberlain's remark that he had accepted 'nine-tenths' of the conditions attached by the Transvaal to their proposals of August 19—Myth founded on this that Transvaal had conceded nine-tenths and 'war for a tenth'—Metaphors and fact—Real issues involved—Why Mr. Kruger drew back from the offer of August 19.

ANOTHER set of fallacies tending to obscure the rights and wrongs of the Transvaal War has grown up around the franchise question. We went to war, it is sometimes said, on a mere matter of two years' difference in the term of the franchise. We went to war, it is said at other times, for a mere tenth. These numerical juggles have deceived many persons. The former of them, the two years fallacy, has been so fully dealt with in the course of our general argument that we need not recur to it here (see, *e.g.*, pp. 139, 149). The other, the 'nine-tenths' fallacy, is perhaps worth a few words of explanation.

The origin of it is curious. It shows what a clever cross-examiner can do. In the course of a debate in the House of Commons on October 19, 1899, the following colloquy occurred:

'SIR EDWARD CLARKE: I agree with the hon. member for West Monmouth (Sir W. Harcourt) that there was good reason why the conditions attached to the five years franchise proposal should have been accepted. The extraordinary incident which has marked the proceedings of this evening has been the statement of the Colonial Secretary that the answer to that proposal might have been taken as an acceptance. That was the phrase he used, but it is an ambiguous phrase, and I should like to know, Was that answer intended for an acceptance?

'MR. CHAMBERLAIN: At the time we thought the proposal of the Transvaal extremely promising. We intended to send a most conciliatory answer, accepting, as far as it was humanly possible for us to do so, their proposal, and as the only point of difference was the internal intervention, I thought myself it would be accepted.

'SIR EDWARD CLARKE: Then we may take it it was intended to be an acceptance of that proposal? . . .

'MR. CHAMBERLAIN: The hon. member harps upon the word "acceptance." He must remember he asked me the question whether we intended to accept. I myself should have thought the Boers would have taken it as an acceptance, but I suppose it may be properly described as a qualified acceptance. We did not accept everything, but we accepted at least nine-tenths of the whole' (Hansard, 4 S., vol. lxxvii., cols. 308 and 311).

On this passage the following legends have been built: That Mr. Kruger had promised to remedy nine-tenths of the Uitlanders' grievances, or that he had conceded nine-tenths of the British Government's demands, and that only a pedantic and perverse insistence on the remaining tenth stood in the way of a settlement.[1] The legend passed from mouth to mouth, and was adopted even by eminent politicians, until many people came to believe that there had been a series of British demands (1, 2, 3, and up to 10), that Mr. Kruger had accepted the nine, and that then there was only one little tenth left. The legend bears no resemblance to the facts. There were no such demands. The nine-tenths were figurative only. It was not Mr. Kruger who conceded the 'nine.'

What it all means is this: To their offer of August 19 the

[1] 'The war is justified on the ground of the grievances of our countrymen in the Transvaal. These grievances have never been denied by me, nor do I deny that we had the right to exert the most strenuous diplomatic pressure in our power in putting these things right. Yes; but please recollect that, on the admission of Ministers themselves, you had got nine-tenths of these demands satisfied, and there was only one-tenth left over, which was not worth fighting about. I beg of you, do not let that slip out of your minds when you are turning over this question—that, by the admission of Ministers themselves, nine-tenths of the proposals which the Boers would have accepted and which we would have accepted were there before us' (Mr. Morley at Forfar, January 24, 1900).

Transvaal Government attached certain conditions. The British Government, as in duty bound under the circumstances fully described in Chapter XVIII., scrutinized the offer and the conditions closely, and replied to them in the despatch of August 28. Was this an acceptance or a refusal? Sir Edward Clarke, like the clever cross-examiner he is, made great play with this question. The true answer is that it was both and neither, because it accepted some parts of Mr. Kruger's proposals, and did not, without considerable qualification, accept others. The part accepted is the nine-tenths; the part rejected is the remaining tenth. The one-tenth reserved was, as we have shown, the reservation of all that the British Government had left as a means of securing the rights of British subjects, and as a test of the sincerity and genuineness of the Boer proposals. As for the general character of the despatch of August 28, I may cite the opinion of a journal which at that time was credited with 'pro-Boer' leanings. Mr. Kruger's note of August 19 and Mr. Chamberlain's reply of August 28 were published in the newspapers on September 2. 'They clear away,' said the *Daily Chronicle*, 'many misconceptions. The tone and substance of these despatches on both sides appear to us to form the most hopeful basis for peace which has been before the two countries for some weeks past.' That seemed exactly to hit off the situation. Mr. Kruger's despatch appeared to make important concessions. The conditions he attached required careful examination, and could not be accepted straight off. But the exchange of notes seemed to offer a hope of an adjustment.

This is the diplomatic transaction which has been perverted into the nine-tenths myth. It is true that Mr. Chamberlain might have made his despatch of August 28 clearer. It is true, also, that his 'squeezed sponge' speech was very ill-advised. Certainly Mr. Chamberlain made a mistake, as he made other mistakes in the course of the negotiations. But what we have to ask, as Sir Edward Grey said (Glasgow, October 25, 1899), is if those mistakes were the cause of the war. Does anybody seriously maintain that the reason why Mr. Kruger did not accept the moderate and conciliatory

proposals of September 8 was that Mr. Chamberlain, on August 26, had called him a sponge? In 1896 the Colonial Secretary adopted a different tone, and used to ask, 'How is Mrs. Kruger?' He did not get any reforms out of Mr. Kruger thereby; and it is surely contrary to common-sense to suppose that he has failed now because he called Mr. Kruger names. The real causes of the rupture were altogether independent of personal considerations. The broad facts disclosed by the Blue-Books were well put by Sir Edward Grey. 'The question you ask yourself again and again,' he said, 'in going through them is this: Does President Kruger mean a real reform or does he not? I have looked at the whole of the negotiations by the light thrown upon them by what went before in the history of the Transvaal, and it is clear to my mind that all through the negotiations Sir Alfred Milner pressed for a real reform, and President Kruger tried to put him off with a sham reform.' This is one of the essential truths of the case. If it be not so, why did not Mr. Kruger accept the proposals of September 8? None of his defenders or apologists has ever given a reasonable snswer. And this is not to be wondered at, for the real reason is plain enough. Mr. Kruger was bent first, as Sir Edward Grey says, on giving a sham reform instead of a real reform; or, if any real reform were given, then on bartering it for a concession towards the realization of the dream of his life—the dream of destroying the paramount power of Great Britain in South Africa.

# CHAPTER XXIX

## LIBERALISM AND THE WAR

Mr. Kruger 'waiting for the Opposition'—Liberalism and the Transvaal—The appeal to Mr. Gladstone—His Transvaal policy—Conditional independence—The conditions broken—Mr. Gladstone on the peace party—On the 'trust and function' of the British Empire—Krugerism the antithesis of Liberalism—The idea of nationality—Not an end in itself—The growth of larger conceptions—Nationalism and Home Rule.

'WHAT we have to do,' said Mr. Kruger once when discussing with his colleagues the relations of his country with Great Britain, 'is to wait for the Opposition, for with them if one side says black, the other side says white.' The past history of British policy in South Africa gave much justification to Mr. Kruger's maxim. What amount of influence it has had in shaping Boer policy during the present events it is impossible to say. That the idea and the hopes it encouraged were still active among some of Mr. Kruger's friends, we know. 'We must now play,' wrote Mr. Te Water to President Steyn on May 8, 1889, 'to win time. Governments are not perpetual, and I pray that the present team, so unjustly disposed towards us, may receive their reward before long' (Cd. 369, p. 10). To 'wait for the Opposition' was Mr. Te Water's specific. In the present struggle the hopes were to a large extent disappointed. From the first there was a body of opinion in the Opposition which saw through the surface of party politics to the national issues, and which was not afraid to postpone party to national considerations. From the date of the ultimatum and Lord Rosebery's appeal—'be one people'[1]—there was a large

[1] Speech at Bath, October 27, 1899.

measure of national unanimity. But at earlier stages of the controversy, the Liberal Opposition often spoke with an ambiguous voice which might once more have encouraged Mr. Kruger to wait for the Opposition,[1] and to the end the so-called 'pro-Boer' sentiment has been largely and loudly vocal in Liberal quarters. Why was this? With some of the feelings and ideas which inspired the pro-Boer party I have already dealt (Chapters XXIV., XXVI., XXVII.). But in addition to the sympathy which the Boers drew from prejudice against 'capitalism,' from the 'Republican' idea, and from the word 'arbitration,' there were other forces at work to identify in many minds the cause of Mr. Kruger with the cause of Liberalism. I believe, and from the first maintained, that the identification was neither historically nor philosophically justifiable. Some discussion under this head will form the subject of the present chapter.

A remark frequently made in some Liberal circles during current debates has been 'Oh for an hour of Gladstone!' The appeal is to Cæsar; to Cæsar, then, let us go. Mr. Gladstone, it is implied, was historically the friend of the Boers; he was the friend of peace and the enemy of 'Imperial sentiment'; and, lastly, he was the friend of nationalism. Let us examine these points in order. I think they cover a large portion of the ideas which underlie the proposition that Liberalism must pronounce the rights of the war to be with the Boers, and the wrongs with the British. The appeal to Mr. Gladstone is made, first, on the ground of his policy in 1881. On the strength of that reference, it is maintained that Mr. Gladstone would have opposed the war, and if he had not prevailed, would have been in favour of restoring after the war the state of things which existed before it. Now, no form of argument is cheaper or less conclusive than

[1] 'In a telegram dictated by Mr. Kruger himself in July, 1899, he said: "There will be no war; the Government will never go to war. If the Government wished for war, the Liberal party would not permit it; and even if they did, the Queen would not sanction war." This was President Kruger's belief, and behind this the conviction that at the worst he had the means for a successful war' (Speech by Lord Loch, *Times*, December 8, 1899).

to assume to one's own satisfaction what a departed politician would have said or done in a state of facts which was not before him. Such an argument is particularly out of place with Mr. Gladstone. He was an 'opportunist,' in the best sense of that term,[1] which means that he was a practical statesman. He never committed himself to hard-and-fast generalities; he changed his views with changes of conditions. He did so in the case of the Transvaal. We cannot know what Mr. Gladstone would have done now. But we know what he did then, and what principles he laid down. The following remarks are very apt, I think, to the present situation:

'Looking to all the circumstances, both of the Transvaal and the rest of South Africa, and to the necessity of preventing a renewal of disorders which might lead to disastrous consequences, not only to the Transvaal, but to the whole of South Africa, our judgment is that the Queen cannot be advised to relinquish her sovereignty over the Transvaal, but, consistently with the maintenance of that sovereignty, we desire that the white inhabitants of the Transvaal should, without prejudice to the rest of the population, enjoy the fullest liberty to manage their local affairs. We believe that this liberty may be most easily and promptly conceded to the Transvaal as a member of a South African Confederation.'

That is what Mr. Gladstone told Messrs. Kruger and Joubert when he took office in 1880. The Transvaal revolt and Majuba followed, and Mr. Gladstone restored after the war that measure of independence which he had refused before. But it was restored on conditions, as we have already seen (Chapter XXV.). Not one of those conditions was fulfilled. We cannot know what Mr. Gladstone would have done in the crisis therefrom resultant. But what Mr. Gladstone did in 1884 everybody knows. He would not tolerate

[1] There is an interesting defence of such opportunism in Busch's 'Bismarck': 'Whoever,' said the Prince, 'has held the post of Minister for any considerable time can never absolutely, unalterably maintain and carry out his original opinions. He finds himself in the presence of situations that are not always the same—of life and growth—in connection with which he must take one course one day, and then, perhaps, another on the next day. I could not always run straight ahead like a cannon-ball. Had I done so, I should have knocked my head against a wall' (iii. 95).

for a moment Mr. Kruger's ambitions. He sent out Sir Charles Warren to expel the Transvaal raiders; he made the district they had invaded into a Crown Colony, and in the following year forestalled any further encroachments by proclaiming a British protectorate over the whole northern country as far as the borders of Matabeleland. According to the doctrines now preached in some Liberal quarters, British subjects, even in a State under the suzerainty, or semi-suzerainty, of Great Britain have no right to look to the British Government for protection against broken promises and gross oppression. That is not the doctrine of 'historic Liberalism.' It was not a doctrine preached either by Lord Palmerston or by Mr. Gladstone. 'A British subject,' said Lord Palmerston, 'in whatever land he may be, should feel confident that the watchful eye and the strong arm of England will protect him against injustice and wrong.' 'Wherever your subjects go,' said Mr. Gladstone (House of Commons, March 17, 1882), 'if they are in pursuit of objects not unlawful, you are under moral obligations towards them that you cannot possibly forget or ignore; and, their objects being lawful, you afford them all the protection which your powers enable you to give.'

But, it is said, Mr. Gladstone would have stopped at 'ultimatum point.' He would have maintained the sacred cause of peace. Here again nobody can know what Mr. Gladstone would have done in particular circumstances. But what his principles were, we know. He might have succeeded in solving the Transvaal Question satisfactorily without any war. But if he had once put his hand to the plough, the risk of war would not necessarily have caused him to turn back. Here is what Mr. Gladstone said on this subject in his Fourth Midlothian:

'There is an allegation abroad that what is called the "Manchester School" is to rule the destinies of this country if the Liberals come into power. I will endeavour to tell you a portion of the truth upon that subject. What is called the Manchester School has never ruled the foreign policy of this country—never during a Conservative Government, and never especially during a Liberal Government. Do not let me be supposed to speak of what is called the Manchester School, or some-

times the Peace party, as if I were about to cast disrespect upon them. I respect them even in what I think to be their great and serious error. I think it is, I will venture to say, like many errors in our mixed condition. It is not only a respectable, it is even a noble, error. Abhorring all selfishness of policy, friendly to freedom in every country of the earth, attached to the modes of reason, and detesting the ways of force, this Manchester School, this Peace party, has sprung prematurely to the conclusion that wars may be considered as having closed their melancholy and miserable history, and that the affairs of the world may henceforth be conducted by methods more adapted to the dignity of man, more suited both to his strength and to his weakness, less likely to lead him out of the ways of duty, to stimulate his evil passions, to make him guilty before God for inflicting misery on his fellow-creatures. But no Government of this country could ever accede to the management and control of affairs without finding that that dream of a Paradise upon earth was rudely dispelled by the shock of experience. However we may detest war—and you cannot detest it too much—there is no war—except one, the war for liberty—that does not contain in it elements of corruption, as well as of misery, that are deplorable to recollect and to consider; but however deplorable wars may be, they are among the necessities of our condition; and there are times when justice, when faith, when the welfare of mankind, require a man not to shrink from the responsibility of undertaking them. And if you undertake war, so also you are often obliged to undertake measures which may lead to war.'

Not less emphatic was his speech at the Palmerston Club (on January 30, 1878):

'A gentleman who spoke just now referred to a section of the Liberal party which professed the principles of universal peace, and he argued that it was unwise to proclaim to the world that on no occasion were they disposed to draw the sword. Now, it is quite true that there is in existence such a party in this country, but we all know that theirs has not been the position taken up by the Liberal party. It has not been on the principle of keeping the peace at all times and under all circumstances that the Liberal party have proceeded. I do not scruple to say that the policy we have taken up in regard to this question has never been a policy opposed to the interest of peace. It has been a policy in favour of the highest interest of all—the interest of honour. It was said the other day by a Minister of the Crown that the first interest of England was the interest of peace. Well, even that sentiment was heard with satisfaction, because people knew the meaning of it. But the sentiment in itself is not wise or true. The interest of peace is not the first interest of England. The interest of duty and of honour is the first interest of England. The redemption of engagements is the first interest of England. A regard for justice is the first interest of England; and to attend to the

full extent of one's means to the calls of humanity is the first interest of England.'

It is interesting that 'a gentleman' who furnished Mr. Gladstone with his text was an undergraduate—the present Lord Milner. We cannot know what view Mr. Gladstone would have taken of Imperial responsibilities in South Africa. What we do know is that he was passionately attached to the Empire—this 'pirate Empire,' as some of his faithless disciples have called it—and firmly persuaded of its mission (speech at Edinburgh, March 17, 1880):

'I believe that we are all united—indeed, it would be most unnatural if we were not—in a fond attachment, perhaps in something of a proud attachment, to the great country to which we belong—to this great Empire, which has committed to it a trust and a function given from Providence as special and as remarkable as ever was entrusted to any portion of the family of man. Gentlemen, when I speak of that trust and that function I feel that words fail me; I cannot tell you what I think of the nobleness of the inheritance that has descended upon us, of the sacredness of the duty of maintaining it. I will not condescend to make it a part of controversial politics. It is a part of my being, of my flesh and blood, of my heart and soul. For those ends I have laboured through my youth and manhood till my hairs are gray. In that faith and practice I have lived; in that faith and practice I will die.'

In view of all this, what right has anybody to invoke the name of Mr. Gladstone against the policy of maintaining, even at the direst sacrifice, the British Empire in South Africa?

Least of all is such an appeal well-founded when it is remembered that the maintenance of that Empire involves the opportunity of applying throughout the British sphere the elementary principles of Liberalism. What many Liberals have forgotten is that the idea of self-government which caused us to sympathize with the Boers in 1881 compelled us logically to sympathize with the inhabitants of the country now. The inhabitants then were the Boers (with a minority of 'Outlanders,' for whom Mr. Gladstone thought he was securing equal rights in perpetuity). The inhabitants in 1899 were the Outlanders (with a minority of Boers, who monopolized all political power). There is nothing, I hope, in the

principles of Liberalism which compels us to renounce an advocacy of justice and freedom when the oppressed are of our own people, and to pursue it only when they are of an alien race. To me it seemed that the Transvaal Question appealed with special force to Liberals, both because Liberal policy in the past was (by its misfortune, rather than by its fault) responsible for much of the trouble, and because the system against which Great Britain was protesting in the Transvaal was the very negation of Liberalism. The pivot upon which the whole system turned was the principle that the duty of an exclusive party—political, racial, or religious—to its own members is higher than that elementary duty which men owe to men as members of the same citizenship or commonwealth. This is the principle against which Liberalism has for centuries throughout every country in Europe waged deadly and unrelenting war. This has been the principle against which—in that sphere in which religion impinges upon politics, as it does still in the under-life of South Africa—English Nonconformity and English Liberalism have fought their fiercest fights and made their noblest sacrifices. Some Liberals have appealed on behalf of the Boers to 'the eternal principles of justice, truth, and freedom.' Better appeal can no man lay. But what 'justice, truth, and freedom' were to be found in the rule of Mr. Kruger? Freedom, according to Mr. Kruger, meant liberty on the part of the minority to deny it to the majority. What peace was possible with a State whose misgovernment was a standing incentive to disorder, whose ambition was to become free of all Conventions, whose actual policy was to convert 'a pastoral community' into an armed camp?

There has been a similar confusion of thought in another appeal which Liberals have made. They appealed on behalf of the Transvaal to 'the sacred principle of free and independent nationalities.' But what 'nationality' was it desired to establish in the Transvaal? The British nationality of the majority of its inhabitants, or the Dutch nationality of the minority? In Cape Colony the Dutch and the British are nearly equally numerous. Which nationality is to be set up therein? Surely the true object of statesmanship in

South Africa should be the fusion of the two nationalities by securing to both an equal measure of freedom and justice. With regard to the 'independent' nationalities, there was a vital difference between the British and the Boer contention. Mr. Kruger contended that he had an inherent right to be a Sovereign International State. Successive British Governments had always maintained that the measure of independence enjoyed by the Transvaal was derived from Conventions, whereby (as Lord Derby put it in 1883) the Queen laid down 'conditions under which, and the extent to which, Her Majesty could permit them to manage their own affairs without interference.' The British contention, and not the Boer, is historically the true one. When the Boers declared war against the Queen, they tore up all Conventions. When the war is over, the old question will recur: Under what conditions and to what extent will Her Majesty permit the inhabitants of the two States to manage their own affairs without interference? It will be a question of more independence or less independence. What Mr. Gladstone sought to provide in 1881 was equal liberties for 'the entire white population.' I believe, as Mr. Gladstone believed in 1880, that such liberty can be guaranteed only, and can be enjoyed most fully, under the British flag.

The question of nationality requires, however, some further discussion. The rights and wrongs of the Transvaal War go deep down, from this point of view, to first principles of politics. On one side is the principle of nationality as an end in itself; on the other, the principle of what for a better term must be called 'Imperialism.' I think that many Liberals have been misled by the analogy of earlier struggles for the principle of nationality—struggles which at the time and under particular conditions were also struggles for freedom and civilization. The struggle for the independence of the Boer nationality in the Transvaal was altogether different. It was a struggle for the maintenance of a lower type of civilization in the midst of a higher, of the political ascendancy of a minority as against the majority of the inhabitants. The national ideal was in its time, and in its place may still be, the law of progress. 'The civic, the feudal, or the oligarchic

State passes into the national;' but also in due course, the national into the Imperial. 'It is necessary,' says the 'League of Liberals,' 'to support and stimulate the independence of small nationalities.' It is never necessary to fight against the inevitable, and those Liberals who cling to the idea of small nationalities as an end in themselves are being left high and dry, I think, by the appointed order of social evolution. It is so in the economic sphere, where 'historical progress has consisted mainly in the establishment of ever larger and larger communities, in the place of small, as the controllers of economic policy.' It is so in the sphere of international law, wherein a growing network of treaties is tending to realize gradually, if slowly, the idea of ever larger and larger groups. Is it not so also in politics? Is not the idea of nationality destined to be merged in a larger ideal? 'Surely,' said Dr. Spence Watson,[1] 'we have not fallen so low as deliberately to destroy two free and independent nationalities.' To destroy them in an unjust cause would indeed have been base. But the destruction is not necessarily and in itself an evil. Injustice is not sanctified by use, nor the denial of liberty by nationality. The ideal of a South Africa united under the British flag is higher than that of a South Africa split into 'independent nationalities,' governed under contradictory systems and armed against each other. The success of the British cause in South Africa will destroy 'the independence of a small nationality'; but it will at the same time be 'the triumph for all time of those principles which Imperial Britain represents, that larger freedom, that higher justice, beneath whose sovereign sway the trader of every land may increase his bales on all her shores, unhindered, the devout of every race pray to God in his own accents unafraid. For this Empire is built upon a design more liberal even than that of Athens or the Rome of the Antonines. Britain conquers; but by the testimonies of men of all races who have found refuge within her confines, she conquers less for herself than for humanity. "The earth is Man's" might be her watchword, and as if she had caught

[1] At the Nottingham meeting of the National Liberal Federation, March 27, 1900.

the ocean's secret, her Empire is the highway of nations. That province, that territory, that State which is added to her sway, seems thereby redeemed for humanity rather than conquered for her own sons.'[1] What, on the other hand, would the triumph of the Transvaal have meant? It would have meant a perpetuation of the racial theory of government, a strengthening of militarism and a military caste, and a set-back to industrial progress. Professor Mommsen, Anglophobe in this matter though he be, is constrained as an historian to recognise the accuracy of the thesis here developed. In the Transvaal War two conceptions of life, he says, 'wrestle with one another. The battle is fought between the sixteenth and the twentieth century.'[2]

The idea of nationality, then, as an absolute end can no longer compel the devotion of Liberalism. Its desirability is relative to other factors. But the larger idea of 'Imperialism' which is to some extent superseding 'nationalism' includes one thing which many Liberals confuse with nationalism—I mean the principle of Home Rule, or local self-government. The Irish Question perplexes many minds, and the Home Rule movement makes slow progress, because two different ideals are confused. Is it Home Rule within the Empire, or Home Rule without the Empire, which is really desired? So long as the Irish leaders themselves speak with an uncertain voice, English opinion is kept back from supporting Imperial Home Rule for fear that it is desired only as a lever for obtaining nationalist independence. The Irish party, in their enthusiasm for the nationalism of the Boers, have necessarily been false to the idea of Home Rule, for that is the idea which the Uitlanders stood for. The result of British policy in South Africa will be, it is true, to supersede the Transvaal nationality, but in doing so it will not diminish, but will increase, the area of Home Rule; it will add to, and not take from, the total of political liberties.

[1] 'Reflections on the Origins and Destiny of Imperial Britain.' By J. A. Cramb. Pp. 139. Schmoller's 'Mercantile System' contains some interesting remarks on the expansionist idea in the field of economics. See also Kidd's 'Social Evolution.'

[2] See Professor Mommsen's reply to Professor Max Müller in the *Deutsche Revue* for April, 1900.

# PART V

## LESSONS OF THE WAR

## CHAPTER XXX

### MR. KRUGER'S HOPES

Mr. Kruger and the British Empire—England the Unready—Mr Rhodes' miscalculation—The Boer contempt for the British redcoat—Mr. Reitz's levity—Mr. Wessels on Boer conceit—Cape rebels—Expectations of help from the Cape Government—Hope of foreign complications—Mr. Kruger's belief in himself and in special Providence.

It is not within the scope of this book to follow the course of the war or to deal with the many lessons which may be deduced from it in the military and in the political sphere. Our concern is only with the rights and wrongs of the quarrel. On this question, however, the actual course of hostilities and facts which have come to the surface during them have thrown back some instructive light. This will be the subject of the next few chapters.

Mr. Kruger on the eve of the war declared[1] that he meant to 'stagger humanity.' He has kept his word. Before the war broke out many people believed that it would never come because the strength of the two combatants seemed so unequal. More believed that if it did come it would be of

[1] In a message to the *New York World*, dated October 11: 'War is certain. The Republics are determined, if they must belong to England, that a price will have to be paid which will stagger humanity. They have, however, full faith that the sun of liberty will arise in South Africa as it arose in North America.' The last words are familiar to us (see p. 34).

very short duration. None foresaw that it would be so severe and so prolonged as it actually was. These popular misconceptions caused, among other things, an impression which in many minds materially affected their view of the rights and wrongs of the struggle. It seemed incredible to them that 'a little Republic of herdsmen' should deliberately challenge one of the mightiest empires in the world. If Mr. Kruger went to war at all, it could only be because he was driven to it of direst necessity by an aggressive enemy. The course of the war speedily took all force out of this contention. It showed that Mr. Kruger might have had hopes, and not entirely unreasonable hopes, of winning the day.

There were many grounds for such hopes. Mr. Kruger himself was prepared. He had against him a powerful England, it is true, but also England the Unready and England the Contemptuous. The British Government, as we all know, ludicrously underestimated the fighting strength of the Boers. Their initial move was calculated not to impress Mr. Kruger with the strength of England, but rather with her weakness or (which comes to much the same thing) her unwillingness or unreadiness to put out her strength.[1] Prominent Englishmen in South Africa shared, if they did not prompt, the miscalculations of the Government at home. Mr. Rhodes, in some speeches which will weaken his reputation for foresight, already sufficiently damaged by the fiasco of the Raid, put these miscalculations in a most striking form. 'When I am told,' he said, 'that the President of the Transvaal was causing bother, I cannot really think about it. It is too ridiculous. If they were to tell me that

[1] Lord Ripon put this point in a speech at Bolton on November 22, 1899: 'He believed the Government had been deceived by those who told them in the beginning that President Kruger would never go to war, who told them that if they would only be firm, would only press with sufficient courage and continuity their demands, he would hold out until the last and then give in. Then they were also told that the Boers had forgotten how to shoot, but that did not appear to be the case. He believed these men would not be listened to again. The force of ten thousand troops that were sent out from India was either too little or too much. It was just enough to irritate the Boers, to excite the passion of their young men, but not enough to give security to our colonies.'

the native chief in Samoa was going to cause trouble to Her Majesty's Government, then I would discuss the proposition that the Transvaal was a danger to the British Empire. . . . I am sure that the President is going to give Her Majesty the terms which Her Majesty now demands. . . . Before I leave the subject, I will say that there is not the slightest chance of war; but Her Majesty's Government are going to get the terms which are demanded as being fair and right to the Uitlanders. I will leave that question now, because, as I have said, it is only a temporary trouble in Africa' (Speech at Claremont, July 20, 1899).

At another time Mr. Rhodes is reported to have said: 'The armed strength of the Boers is the greatest unpricked bubble in the world.' Mr. Rhodes is colossal in his blunders as well as in other things.[1]

Mr. Kruger knew, then, that Great Britain underestimated his strength. It is certain, also, that he underestimated *hers*. The utter fiasco of Dr. Jameson's Raid had lowered the already low opinion entertained by the Boers of the English as fighters. We have seen how Mr. Kruger, when urged by the Netherlands Government to be moderate and conciliatory, referred the Consul-General to the fact that 'defeats such as the English had suffered had never been suffered by the Boers.' Mr. J. B. Robinson, whose long residence in the country and intimate acquaintance with the Boers lend authority to his words, has described conversations which throw much light on Mr. Kruger's words:

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[1] It has often been said that Lord Milner shared this particular blunder. There is no evidence for that. On the eve of the war Mr. James Molteno had a conversation with the High Commissioner. 'As regards the war,' wrote the latter in giving his account of the interview, 'should it come, and its after-effects, I took a very different view from Mr. Molteno. He seemed to me to think the war itself would be a comparatively small matter, in view of the disproportion of power on the two sides. I, on the other hand, have always regarded war with the Republics as a very formidable war indeed, owing to the colossal armaments of the South African Republic. In view of these armaments, I could not but anticipate a terrible struggle, the last thing in the world which I or any man could look forward to otherwise than with the gravest solicitude' (Cd. 43, p. 240).

'They feel confident, because of their experience in the War of Independence, that they can easily put to flight any force we may send against them. I have heard many of the old Boer warriors describe the Battle of Laing's Nek. "The red-jackets left their white tents in the morning about nine or ten, after they had had their breakfast, and formed up," they say. "Their red coats could be seen by everyone, their bayonets glittering in the sunshine. The surveyors went and measured out spots where they had to stand in lines, and then they formed up, every man straight. The Adjutant came and cocked his eye down along the ranks to see no one was an inch behind the others. They numbered. He asked them if they felt comfortable and had had a good breakfast, and when they said 'Yes' the Colonel rode up. The Colonel was on a fine horse, and had a beautiful sabretache. 'Men,' he said, 'you see those rocks? The enemy are behind them. You are to go and drive them out.' Then the men put their helmets on their bayonets and waved them and cheered. They marched up in rows. All this time we were sitting quietly smoking, laughing, and joking together. As they got near, the commandant called out: 'Defend yourselves, men.' Then we put our gun-muzzles from behind a shelter of rocks, took aim, picked out the officers, and fired. Soon there came a rattle, and lead pattered all round; but it all went over our heads, for we were sheltered. We just picked off all the leaders as they came up."

'Such experiences convinced the Boers that, however brave English soldiers may be, they are no match for Boers behind hills. They believe our men will fight the same way now. It is useless to tell them, as I often have, that our troops are now trained to fight them on their own methods. I have seen the British troops trained after the Boer method near my estates by Capetown. But the Boer will not believe that. "No," he says, "the English redcoat does not fight that way. He comes out in lines for us to shoot at"' (*Daily News*, October 3, 1899).

In England many people pictured Mr. Kruger and the Boers as quaking in their shoes at the idea of a rupture, or as solemnly taking up a forlorn hope. Very different was the impression made upon visitors to Pretoria. 'The Pretoria people,' wrote Sir Henry de Villiers to his brother, 'do not seem to realize the position. When I was there, Reitz seemed to treat the whole matter as a big joke' (Cd. 369, p. 4).

When war was on the eve of breaking out, Canon Farmer, of Pretoria, prepared to take his departure. The Chief Justice (Mr. Gregorowski) tried to dissuade him. 'Is it really necessary for you to go?' he asked. 'The war will be over in a fortnight. We shall take Kimberley and

Mafeking, and give the English such a beating in Natal that they will sue for peace' (Interview with Reuter, published in the papers of February 2, 1900). The testimony of many other South African residents is to like effect. The Boers were convinced that they would easily be able to drive the English into the sea.' 'To get to the sea,' said Mr. Schreiner in the Cape Parliament (September 24, 1900), 'was the life and hope of President Kruger.' The 'young bloods' among the burghers in the two Republics had made sure of an easy victory, and the only thing they were afraid of, on the eve of hostilities, was 'that Chamberlain, with his admitted fitfulness of temper, would cheat them out of the war, and, consequently, the opportunity of annexing the Cape Colony and Natal, and forming the Republican United States of South Africa.'[1] At the outbreak of war such hopes could not have seemed extravagant. Mr. Schreiner had clung to the belief that the Orange Free State at least harboured no aggressive designs; but events undeceived him. 'All the friends of the Republics,' he said (September 24, 1900), 'were deeply surprised at their action, that, instead of maintaining a purely defensive attitude against external attack, they immediately took the initiative and made their war to assume an offensive character. Districts north of the Orange River at first, and, later on, to the south, were not merely occupied by the burghers of the Republic for military purposes, but were declared to be annexed to these Republics. He said to the President that he would not believe he would invade south of the Orange River. President Steyn's reply was, "Can you give me a guarantee that no troops will come to the border?" Of course, he could give no such guarantee, and he did not then believe that, although such a guarantee could not be given, the Free State would invade British territory with the object of endeavouring to promote the establishment of one Republic in South Africa, as the Prime Minister had said. Such a Republic was not thought of in the days of old, and when it first began to be thought of it beat him to guess.'

[1] From a letter from Mr. J. N. Blignaut, discovered in the Landdrost's office at Bloemfontein (Cd. 420, p. 86).

Mr. Wessels, on the other hand, was not surprised. He had lived long among the Transvaal Boers, and knew their ambitions. Nothing could shake the belief of the Transvaalers in their invincibility. 'I tried to persuade them that war with Great Britain was suicidal, and that when the first shot was fired the independence of both Republics would be gone. The *Volksstem*, the Government organ, told me that I was a fool, and that I knew nothing of the might of these young Republics. It was not only the Boer of the back-country that thought the Afrikander invincible: a most intelligent man, a friend of mine, wrote to me from the Boer camp that they were sure of victory, and that many of them had vowed not to wash until they reached the Indian Ocean. Nay, he would even visit me in Cape Town. The worst feature of all this is that they really believed that their hopes would be fulfilled. Was not the God of the Transvaal greater than the God of the British Empire?' (Speech at the inauguration of the Paarl branch of the Guild of Loyal Women of South Africa, June 6, 1900).

The burghers in the two Republics counted, of course, on assistance from the colonies. It is clear that the Republics had fomented rebellion, and had laid in arms and ammunition to serve it. How far the reality fell short of their hopes it is impossible to say, but the reality, as Great Britain found to her cost, was serious enough. At the beginning of 1900, Lord Milner was 'forced to the conclusion,' from local inquiries, 'that, in round figures, not less than 10,000 of those now fighting against us in South Africa, and probably somewhat more, either are, or till quite recently were, subjects of the Queen' (Cd. 264, p. 5). In some cases these men were perhaps rebels against their will, owing to the lack of efficient protection afforded by the Imperial forces; but in other cases rebellion had been prepared beforehand, and the Republican invaders were invited in (see the Blue-Books, Cd. 43 and 264).

In one respect, however, the hopes, reasonable or otherwise, of President Kruger and his advisers were disappointed by the event. They thought that the Cape Ministry, no less than individual sympathizers, would be willing and able

to assist them. 'I found,' says Sir Henry de Villiers, 'that Reitz and others had the most extraordinary notions of the powers and duties of a Cape Ministry in case of war. They are Ministers of the Crown, and it will be their duty to afford every possible assistance to the British Government. Under normal conditions, a responsible Ministry is perfectly independent in matters of internal concern, but, in case of war, they are bound to place all the resources of the colony at the disposal of the British Crown; at least, if they did not do so they would be liable to dismissal' (Cd. 369, p. 4).

The complaisance of the Cape Government in allowing arms and ammunition to pass through the colony into the Free State probably helped to mislead Mr. Reitz and the rest as to the attitude which Mr. Schreiner would ultimately adopt. Mr. Schreiner, as we have seen, could not bring himself to believe that the Orange Free State harboured any offensive designs against the colony, and, accordingly, he allowed, 'in the usual course,' enormous quantities of arms and ammunition to pass through so late as in July, 1899. The Imperial Government did not intervene to prevent this free traffic in material of war until the end of August (Cd. 43, pp. 10, 12, 14). Mr. Schreiner's aim was, in his own words, 'to maintain this colony as a little place of peace, a little port in South Africa that is not to be riddled and rent by storm and thunder' (Debate, August 28). When the war came, however, Mr. Schreiner did his duty to the Queen, and became in consequence 'the rejected of the Bond.' Mr. Reitz and Mr. Steyn hoped, no doubt, for better things (as they would think them) from the then Cape Premier.

But it was not only from Cape Colony that the Boers believed help would come. They believed, also, in help from outside. Mr. Kruger, as we have seen, was warned before he declared war to expect no help from Germany. In reply to the Consul-General of the Netherlands, who communicated the warning to him, he said it was not his intention to appeal to a Great Power (Cd. 547, p. 10). But it was not through a direct appeal that help was expected. The idea was that England would become embroiled with some other Power, and that even if she were not, the fear of

it would prevent her from putting out her full strength in South Africa. 'They were taught by their newspapers,' said Mr. J. B. Robinson, 'that once we are engaged in a quarrel with them, Germany, Russia, France—in fact, all the world—will take advantage of the moment to fly at us' (*Daily News*, October 3, 1899). And not by their own newspapers only. The same idea was sedulously inculcated by one of the chief inspirers of the pro-Boer propaganda in this country. To these hopes of foreign intervention Mr. Schreiner, for one, attributed the chief influence in causing the war. We have noticed in an earlier chapter (p. 182) the sudden and ominous change in the negotiations which took place between August 19 and 21. Sir Henry de Villiers, as we have also seen, had heard of some information from Europe as causing the change. It was that change which first opened Mr. Schreiner's eyes to the probability of war, and he ascribed it to bad advice from Europe. 'They wanted,' he said, 'no more embassies in Europe sent to try and stir up ill-feeling and hostility against the British Empire. That unfortunate embassy had been more than anything else responsible for this war. There were limits to tolerance, and that limit was almost reached when one considered the part that the head of that embassy had played. He firmly believed that the unfortunate Republics had been led to suppose that the Great Powers in Europe were about to interfere on their behalf, and they must have been misled by the assumptions and assurances conveyed to them by their emissaries.[1]

Mr. Schreiner has always believed in Dr. Leyds as the root of all evil in the Transvaal. He told the South African Committee (March 26, 1897) that with Dr. Leyds' departure for Europe better things might be hoped for in the Transvaal. He was doubly wrong. Mr. Reitz was no improvement on Dr. Leyds as State Secretary, and Dr. Leyds in Europe was so much to the bad. I think, however, that we may well doubt whether Dr. Leyds was so largely responsible as Mr. Schreiner thinks. I do not believe that Mr. Kruger was

[1] It cannot have been Germany from whom help was expected, for the German Foreign Office sent a message to the contrary on August 15 (see above, p. 173).

made of putty. My impression is that Dr. Leyds was Mr. Kruger's instrument quite as much as Mr. Kruger was Dr. Leyds' dupe. But certainly the Hollander element in the Transvaal was a powerful factor both in the administration, which was the true cause of the war, and in the intrigues which immediately precipitated it. Nobody can doubt this who has read the remarkable disclosures made before the Concessions Committee. The great 'Hollander' organization in South Africa was the Netherlands Railway Company. Long before the negotiations had reached their final stage, the managing director of the line urged the Transvaal Government to prepare for war, and, suiting his action to his advice, he himself prepared a 'Construction Commando.' The object of the corps was to destroy the property of the shareholders in order to impede the progress of the British forces. He suggested, also, to the Government a scheme for combining Germany, Holland, and the Transvaal against Great Britain. When war was declared, the Netherlands Railway was promptly organized as an 'effective' in the field. The staff was commandeered for special service in destroying bridges, another staff was appointed to exploit the Natal railways, and, later, the colonial railways in the Colesberg district. When the war turned in favour of the British, the directors appear to have become uneasy. The manager did not spare them. 'We have compromised ourselves,' he wrote, 'by deed, and word, and writing. We have made cannon and ammunition, destroyed bridges on English territory. We have paid our staff on commando, and assisted the Free State with persons and materials. There are letters, telegrams, and witnesses that will prove all this. I have endeavoured to get orders as far as possible, but not always successfully. Neutrality,' he concluded, 'was now impossible.' It certainly was (see Reports of the Transvaal Concessions Commission, Cd. 623). The Hollander atmosphere of Pretoria may well have contributed something to the warlike feeling there.

To the considerations above adduced in explanation of Mr. Kruger's willingness to challenge Great Britain to conflict we must add, I think, the old man's belief in himself

and faith in his God. A theory which finds favour in some quarters is that Mr. Kruger is nothing but an 'old hypocrite.' He knew well, it is true, how to play on the religious beliefs of his people for political purposes, as other ambitious men have done. That is no evidence of insincerity. His faith in himself and in the God whose appointed agent he believed himself to be was sincere, and it was not unreasonable. Looking back over the history of himself and his burghers, remembering the perils and wanderings through which they had passed until they had become a rich and powerful State, the old man may well have convinced himself that a special Providence would direct and defend his enterprises to the end. But if sincerely religious, Mr. Kruger was never a dreamer. He trusted in God, but also, as we shall see in the next chapter, he kept his powder dry.

## CHAPTER XXXI

### THE TRANSVAAL ARMAMENTS

The 'poor herdsmen' fallacy—The Boer artillery—The Transvaal as the arsenal of South Africa—Apathy of the British Government—Against whom were the armaments directed?—Cumulative evidence.

IN the days before the war, visitors to Pretoria often described the spectacle of the old President sitting on the stoep with one hand on the Bible and another on the marble lions, the gift of the late Mr. Barnato, which guarded his portals. The picture was typical of the man. He believed in God, but he believed also in force. He put his faith in Maxims no less than in texts, in Krupp and Creuzot as well as in Heaven.

We have discussed already the question when Mr. Kruger began to arm. We saw that the policy of armaments was antecedent to the Raid, but that it was greatly extended after that event, which gave to it some sort of colourable excuse (Chapter X.). The point to which we have now to direct attention is the extent and strength of the armaments as disclosed by the war. We all know the theory which was once in favour with a certain school of politicians in this country, and which even now occasionally appears in speeches and in print. The Boers were a community of 'poor herdsmen,' requiring, indeed, to be able to protect themselves against the possibility of a native attack, and after the Raid awaking to the necessity of being forearmed against a repetition of that lawless enterprise, but for the rest desiring only to live in peace and quiet within their own borders. How this theory has managed to survive the war I do not know. For what did the outbreak of hostilities show? It was seen

immediately that for a nation of poor herdsmen the military equipment of the Boers was singularly complete. As the war went on, the demonstration became more and more effective. The Boers were found to have enormous supplies of small arms and ammunition of all sorts, and a most formidable equipment of heavy artillery.[1] It is not within my province to note the technical questions which have been debated upon this point. At any rate it is agreed that the Boer artillery in some respects outclassed the British. Mr. Kruger had turned the Uitlanders' gold into guns of the very best and latest types, and this, we may suppose, was one of the advantages on which he most counted.

It is idle to suppose that the great armaments of the Transvaal were procured as a protection against the natives or a second Dr. Jameson. The remarks of an ex-Cape Minister in this connection are much to the point. 'The Transvaal,' he said, 'is armed almost like a European Power. Six field-pieces would be adequate for its protection against all the natives who at any time could threaten it. What, then, can it want with fifty, sixty, or eighty modern Krupp guns of the best type? . . . The rapid march of events has compelled them to throw off the mask without further delay. This is fortunate for us, because otherwise we might have had to face two hundred guns instead of sixty or eighty' (*Daily News*, October 30, 1899).

The simple truth is that the Transvaal, so far from being a pastoral or industrial State, had converted itself into a huge arsenal, and the only arsenal, be it remembered, in South Africa. There are leagues in these days 'against militarism.' There is abundant work for them to do, but they neglected a great opportunity in not addressing their protests to Pretoria. South Africa, secured from foreign aggression by the navy of the Paramount Power, was a country from which the curse of militarism should and could

[1] 'It has now become an ordinary thing when you open your paper in the morning to see that so many hundreds of thousands of rounds of ammunition have been dug out of the ground. Well, they did not grow there' (Lord Salisbury's speech to the Nonconformist Unionist Association, May 13, 1901).

have been banished. Its internal conditions called for nothing but such arms as might be necessary to guard against native risings. It is a country of great resources which cry out for peaceful development by the joint efforts of the two white races to whom its destinies are committed. In the British colonies and protectorates complete equality of opportunity was granted to Dutch and British and all white races alike. In British South Africa the garrison in normal times consisted of no more than a couple of regiments of cavalry and five battalions of infantry. It was the Transvaal, the peaceful Arcadia of imaginative politicians, that introduced militarism into South Africa. By railing off a huge tract of territory as a reserve for the political ascendancy of one race, Mr. Kruger sowed the seeds of discord. Mr. Rhodes and Dr. Jameson completed the evil by a resort to force which gave Mr. Kruger his excuse, and the 'Arcadia' was turned into an arsenal.

Against whom was it directed? It must have been, it could only have been, directed against England. As Mr. Lecky says, the Transvaal 'raised an annual revenue greatly in excess of what was required for its internal government from unrepresented Englishmen, to whom the prosperity of the State was mainly due, and it employed that revenue in accumulating a great armament which could only be intended for use against England. The events of the last months have shown that it had become incomparably the most powerful State in South Africa, and that if we had been engaged in a serious European war the English colonies would have been at its mercy' (*Daily News*, March 10, 1900).

Mr. Kruger knew all this, and he knew something else which may have contributed to his confidence in pursuing a policy of aggression. I refer to the supineness under provocation of the British Government. For years the Transvaal Government had been piling up armaments against Great Britain; but Great Britain took no notice: she neither protested nor took precautions against the armaments. It has been urged in defence of the Government (as, *e.g.*, by Lord Robert Cecil, *Times*, September 25, 1900) that Great Britain was powerless to prevent the

import of warlike stores by Delagoa Bay. But could she not have brought friendly pressure to bear upon Portugal, who had the power? By the Treaty of 1875 between Portugal and the Transvaal, which afterwards received Her Majesty's approval under the Convention of 1884, 'His Majesty the King of Portugal reserves the right of prohibiting the importation of arms and munitions of war, and of subjecting the transport thereof to special regulations; but he binds himself to allow the free importation and transit of arms and military stores intended for the South African Republic and applied for by the Government of that Republic, *upon the guarantees necessary to remove all doubt as to their destination being given.*'

Now, during the year 1897 more than 147,000 Mauser magazine rifles passed into the Transvaal viâ Delagoa Bay. The number of burghers capable of bearing arms was given in the Staatsalmanak at the time as 29,500. The natural inference was that these vast supplies of rifles were required to arm Boers of the Orange Free State and Dutch rebels within our own colonies. The British Government took no step to prevent or protest against the importation any more than she did against that of heavy cannon. Yet the suggestion might surely have been made to Portugal to inquire as to the destination of consignments of arms so vastly in excess of any legitimate requirements. In August and September, 1899, immense consignments of 'Mauser cartridges arrived in Delagoa Bay. Then for the first time an effort was made to bring pressure to bear on the Portuguese. The goods were removed to lighters and impounded pending further inquiries. This step excited lively apprehension in Pretoria, for Mr. Kruger knew that, without this timely supply, his Mauser rifles would be useless. and his burghers driven to fall back upon their Martini-Henrys—weapons admittedly inferior to our Lee-Metfords. But the Foreign Office made no sustained attempt to delay the transit by diplomatic measures. The local authorities suddenly released the cartridges, and fifty truck-loads, weighing ten tons each, were permitted to be entrained for Pretoria. The plea was that Mr. Schreiner, the Cape

Premier, himself had just allowed a million Mauser cartridges to pass into the Orange Free State viâ Port Elizabeth. This, it must be admitted, was an *argumentum ad hominem* not without some force. In both cases there was most unfortunate negligence on the British side.

Ministers, when challenged on this point, have at different times—and on one occasion at the same time—set up contradictory pleas. One is that they did not know of the armaments, the other is that they did know, but that for various reasons they could not say or do anything. I have quoted already Lord Salisbury's famous piano-cases speech (p. 98). The guns, he said, were imported as pianos, and the Government 'could not see through deal boards.' I think it was rather a case of wooden heads. At another time Lord Salisbury gave a different account. The Government knew that 'year by year the accumulation of munitions of war was made,' but they were hampered by the Conventions, 'by which we deliberately permitted a community that was obviously hostile to enjoy an unbounded and unlimited right of accumulating the munitions of war to be used against ourselves' (Guildhall Speech, November 9, 1899). Here, it will be seen, Lord Salisbury threw back the blame on the Liberal Government which concluded the Conventions. At other times Ministers threw hypothetical blame on the Liberal Opposition of to-day. The Government might have increased the African garrisons; but had they done so, Opposition speakers would have denounced them as firebrands. Some members of the Opposition would have done so, no doubt; but the duty of Ministers is to take on their own responsibility whatever steps they deem necessary for the due protection of the Empire. They cannot shift any portion of their responsibility by the hypothetical plea that the Opposition would not have consented to share it. A third defence put forward by the Government has been already noticed (p. 63); it was that their hands were tied by the Raid. We are not concerned here to analyze further any of these contradictory explanations. The point with which we are concerned is this, that the British Government must have known, and in fact did know,

about the armaments, that Mr. Kruger knew they knew, and that the British Government did nothing to check the importation. It was not unnatural that he continued to make hay while the sun shone.

None of the ministerial defences above given is adequate. The Government should have known, for the Intelligence Department supplied full reports. They had no right under the Convention to interfere; but they had an inherent right to ask for explanations. The Raid may have prevented them from taking immediate action, but it could not tie their hands for ever. In any case there was no reason why they should not have taken precautions by strengthening the defences of the colonies. At the Bloemfontein Conference Lord Milner 'took the opportunity of observing that we were continually receiving reports of Transvaal preparations, which had already caused considerable alarm on the Natal border, and I added that the large increase in the military forces and equipment of the Republic in recent years had produced a bad impression, both in Great Britain and among the British inhabitants of South Africa' (C. 9404, p. 2).

Even after Bloemfontein the Government took only small and inadequate steps. The real reason seems to be that they underestimated Mr. Kruger's strength, and did not believe he would fight. Mr. Kruger knew what he meant, and the signs of blindness or scepticism which he detected on the other side may have confirmed his decision.

What, then, did he mean? The process of inference is cumulative, but seems to me conclusive. We have seen that ever since 1881 a hostile policy towards England was unswervingly pursued by the Transvaal. Ceaseless attempts were made, in some cases successfully, to violate the conditions on which Mr. Gladstone had restored the internal independence of the Republic. Claims were put forward in the negotiations of 1883 which showed the ultimate ambitions of the Transvaal. The English inhabitants of the country were disfranchised; they were unrepresented, but they were taxed, and the money was used to convert the Republic into a powerful military State, and at the same time

to provide for a large expenditure in Secret Service, both in Europe and in Africa. The war has revealed to us on the Transvaal side a formidable combination of military equipment, complete organization, experienced tactics, and a vast accumulation of artillery and ammunition. This combination was thrown by the two Boer States into an invasion of the British colonies, after they had refused terms which their most ardent defenders in this country admitted to be reasonable and conciliatory, and after the British Government had offered, if those terms were accepted, 'to give a complete guarantee against any attack upon the independence of the South African Republic, either from within any part of the British dominions, or from the territory of any foreign State' (C. 9530, p. 16).

Is it possible on this collocation of facts to resist the conclusion that the final declaration of war was the culmination of a determined policy, deliberately planned and strenuously pursued?

## CHAPTER XXXII

### THE CHURCHES AND THE WAR

An argument from authority—Value of the opinion of ministers of religion in South Africa—Unanimity of the Free Churches—Resolutions and manifestoes cited—The Archbishop of Cape Town's letter—The Dutch Reformed Church and the Republics—Incompatibility of ideals.

THE conclusion suggested at the end of the last chapter, as rendered necessary by the evidence, has on its side a powerful argument from authority. The war in South Africa is represented by the pro-Boers as one involving and originating in every wicked and un-Christian sentiment, as conceived in fraud, avarice, and hate. If this be so, it is a terrible reflection on the Christian churches founded by Great Britain in South Africa that, almost without exception, their ministers have been among the strongest supporters of the war. Some of the critics above referred to have the courage and the logic of their convictions, and denounce those ministers of religion as fools and knaves. But an indictment against a whole Christian ministry is a serious thing, and it is not easy to believe that practically all the ministers of all the denominations should simultaneously have lost their heads or have deliberately said to themselves, 'Evil, be thou my good.' The ministers of religion in South Africa are akin in training and creed, in instincts and sympathies, in politics and religion, to their brethren at home. They differ in two things. First, they are on the spot, and have thus had practical experience of the conditions and circumstances which prevailed before the war; secondly, they had much to lose by war. Take, for instance, the ministers of various denominations who were settled in the Transvaal:

they have seen their congregations scattered, their houses and all other belongings exposed to devastation; their interests, as well as their religious convictions, must have been on the side of peace. If these were overruled by their local knowledge, is there not a strong presumption that there was reason in their judgment? These men, at any rate, preaching the Gospel for small stipends, and exposed often to many risks and dangers, cannot collectively be accused of 'capitalist intrigue,' or 'greed of territory,' or 'blatant militarism.'

Among these men there has been hardly a dissentient voice. 'We all believe' (in the words of one of them) 'that this war was inevitable; that, whatever may be the defects of our diplomacy, it did not cause the war; that the object of it has been the dream of a quarter of a century—a dream that seemed likely to be only a dream, until the Uitlanders provided for them the sinews of war; that since then there has been steady, persistent, unfaltering preparation for the present conflict.'[1] With regard to the future, they all believe that 'only under annexation to the British Crown can the blessings of peace, prosperity, and goodwill be permanently secured.'

A few extracts from resolutions passed by the various churches will bring home to the reader their unanimity in these matters. The Cape Town and District Congregational Association 'regards the war as having been unavoidable,' and is of opinion 'that in any settlement the absolute paramountcy and control of the country must be in the hands of Great Britain.' The Congregational Union of Natal, in an address to the Union of England and Wales, says:

'As Christians, they deeply deplore the present war, bringing with it the invasion of the Colony of Natal, with looting and plundering of hundreds of homes in towns, villages, and farmsteads. The authentic reports which they hear on this matter from scores of friends who have been ruined are simply heartrending. And yet, humanly speaking, the conflict was inevitable.

[1] Letter of the Rev. Charles Phillips (Congregational minister, Johannesburg) in the *Daily News*, January 10, 1900.

'They hold that when the settlement comes there should be no longer two Republics in the heart of South Africa, forming a focus of intrigue and secret preparation for another trial of strength against British supremacy, when Great Britain may have her hands tied in some other part of the world. They deem it of vital and transcendent importance that government on British lines should be established in every State of South Africa, under one flag, as in Canada and Australia.

'They trust that this statement of the views and convictions of the Natal Congregational Union will command your sympathy, and that you will unite with them in prayer that the terrible struggle may soon be brought to an end, and that the fruits of it will be peace, prosperity, and freedom from the Cape to the Zambesi.'

The Evangelical Church Council of Port Elizabeth and District is of opinion

'That the persistent refusal of the Government of the South African Republic to redress grievances and to give to Uitlanders reasonable participation in the government of the country, its continuous increase of armaments and building of forts, its dissemination of inflammatory and seditious literature, and distribution of arms and ammunition among many of Her Majesty's colonial subjects, its invasion and proclaimed annexation of large portions of Her Majesty's colonial territory, together with its wholesale raiding of stock and ruthless destruction of individual and State property, all indicate a deep-seated and long-cherished purpose of a most malignant and hostile character against British interests and British authority in South Africa.'

The Evangelical ministers of Kimberley have issued a memorandum to the like effect. The Cape Town Presbytery of the Presbyterian Church is of opinion that 'it is only through the predominance and supremacy of Great Britain in South Africa that true liberty can be maintained and peace made permanent, and that it is absolutely necessary, in the interests of white and black races alike, that Imperial control should, for some years to come at least, be continuous and effective.'

The Presbyteries of King William's Town and of Natal have passed similar resolutions. The latter, 'recognising the moral and religious issues involved in the conflict, declares its profound and firm conviction of the righteousness of the cause, for which the former has been compelled to take up arms and fight.'

At the Wesleyan Synod of the Cape of Good Hope district the following resolution was passed unanimously:

'This Synod desires to place on record its entire approval of the policy now being pursued by the Imperial Government in South Africa, and it is the earnest prayer of members of the Synod that the operations now being undertaken may speedily result in the success of the British arms, and that peace and righteousness may be assured to this land, which it is believed will be attained through the unquestioned supremacy of Great Britain in South Africa.'

In transmitting the resolution, the Chairman of the Synod wrote to the High Commissioner as follows:

'As Your Excellency is aware, our Synod represents not only a large section of the European community, but also a numerous body of Dutch-speaking coloured people in the Western Province, to whose unfaltering loyalty to Her Most Gracious Majesty the Queen we can bear the most emphatic testimony.

'I may add that the Synod views with the utmost detestation the course being pursued by the opponents and enemies of Your Excellency, who not merely insinuate the unworthiness of your motives and aims, but cause to be circulated basest calumnies which are evidently intended to discredit Your Excellency in the eyes of the civilized world.

'We fervently pray that Almighty God will graciously sustain you in the faithful administration of the onerous duties of your exalted office, and that the principles of equality, righteousness, and good government, for which Your Excellency has stood throughout, may be firmly established in a united South Africa, under the supremacy of our beloved Queen.'

The Wesleyan Methodist Church has many adherents among the natives, and its native synods passed similar resolutions. With regard to the Baptists, the following resolutions were signed by officials of the Baptist Union of South Africa:

'1. In our opinion the war now being waged has been mainly brought about by the action of the South African Republic in its intolerant attitude towards the rights, liberties, and interests of British subjects and native races.

'2. We have noticed with regret the rise of a deep anti-English feeling, not only in the Republics, but in Her Majesty's colonies, and are convinced that this has contributed considerably to the causes of the present struggle.

'3. We do not believe that Her Majesty's forces are fighting on behalf

of capitalists or for the purpose of acquiring new gold-fields for our Empire, but in defence of British colonies, in the interests of good government, and to secure justice and liberty for all races in this land.

'4. We desire to express our approval of the policy of which Her Majesty's representative, His Excellency Sir Alfred Milner, has been the exponent, and to affirm our belief that His Excellency endeavoured by all possible means to bring about a peaceful settlement of the questions at issue between Great Britain and the South African Republic.

'5. We are convinced that the interests of the Empire demand the predominance of the British policy all over South Africa, and that the future independence of either of the Republics, or both, would be inimical to the peace, the progress, and the material and spiritual development of the peoples of this country.

'6. We earnestly commend these resolutions to our brethren in the Baptist ministry of Great Britain and Ireland, in the assurance that the interests of the kingdom of Christ, especially in relation to the native races of this continent, are intimately associated with the success of the British arms, and with such development and extension of civilization as invariably accompany British rule wherever it obtains.'

It would be tedious to give further extracts from the resolutions of the several Free Churches. It should, however, be added that what they said severally they also said collectively. Here, for instance, are some passages from a manifesto issued by the Durban Church Council in the Colony of Natal, consisting of ministers and laymen representing nearly all the churches and congregations in the borough and district:

'That, in common with all Christians, we deplore war, with all its attendant circumstances and results, and would have rejoiced to see a just and stable settlement effected without it. But the attitude of the Transvaal Republic for years past has gradually made it manifest that a peaceful settlement was impossible, except upon the basis of Dutch domination throughout the whole of South Africa.

'That we earnestly appeal to the Free Church Councils, and to Christian people of all communions in the United Kingdom, to take a comprehensive and generous view of the present situation in this country. There has been in some quarters, where the reverse might have been looked for, a strange lack of knowledge and of sympathy. Still, it is believed here that in this terrible crisis the vast majority of people at home, of all shades of religious and political opinion, are convinced of the justice of the cause represented by those who are now bravely fighting for the Queen. Many of our fellow-colonists are taking part in the strife;

not a few of them have been killed or wounded, and amongst these some of our own relatives and friends. They have given or risked their lives, not for greed or conquest, as has been cruelly alleged, but for freedom, for just and honest government, and for the honour of the British name.

'As a Council representing thirty congregations, we are convinced, and we feel sure, that the great body of British Christians all over South Africa share the same opinion—viz., that with the thorough success of the British arms, and the establishment of a sound and honest Government based on British principles and modes of government, are bound up not only justice to the white races, but also humane treatment of the natives, and all that makes for peace and for the building up of a prosperous and united Commonwealth.'[1]

Other such documents might be cited, but enough has been said to show the unanimity of the Free Churches. That the Anglican Church was of the same mind may be gathered from a letter addressed by the Archbishop of Cape Town to the High Commissioner:

'BISHOPSCOURT, CLAREMONT,
'*April* 21, 1900.

'SIR,

'I feel that the absence of any official expression of opinion on the part of members of the English Church during the present crisis, at a time when other religious bodies have combined in addressing Your Excellency, is likely to lead to an erroneous inference as to that Church's attitude in respect of the future of South Africa. I therefore hope that I may be permitted to express to Your Excellency my firm conviction that no enduring peace can be secured to this country so long as the Northern Republics are allowed to retain their independence and to remain outside the limits of the Queen's Sovereignty. I believe that the cause of freedom, righteousness, and progress, as well as of justice to the native races, depends upon the establishment of British rule throughout South Africa.

'In saying this, I feel no doubt whatever that I am expressing the decided and deliberate views of an overwhelming majority of those over whom I have the honour to preside as Metropolitan, and that they, like myself, entertain the fullest confidence in Your Excellency's prudence,

[1] Published in the *Daily News*, December 25, 1899. Most of the other resolutions, etc., are given in No. 1 of the 'Vigilance Papers' issued by the South African Vigilance Committee. Several may also be found in a Blue-Book of 1900, Cd. 261.

**wisdom, and courage in dealing with the momentous issues now at stake.**

**'I remain, etc.**

**'W. W. CAPE TOWN.'[1]**

The British Churches throughout South Africa were, then, and are, unanimously of opinion that in the struggle right was on the side of Great Britain. On the other hand, the Dutch Reformed Church—'one in creed, language, membership, and blood relationship with the burghers of the two Republics'—took the other side. It protested against the war as an attack on the independence of the two Republics, and petitioned Her Majesty's Government to desist from it. In a long manifesto it argued some of the political points, and defended itself from the charge of indifference to the natives.[2] The Churches thus ranged themselves, in the words of diplomatic jargon, on the side of their respective 'nationals.' If we concede to each side an equal weight and an equal measure of disinterested sincerity, the diametrical opposition of their conclusions would be another illustration of that conflict of ideals and ambitions which has confronted us at every stage and in every aspect of this history.

To the Christian Churches animated by British ideals the cause of Great Britain presented itself also as the cause of right and justice and Christianity. Were they wrong herein? Let us consider once more one of the fundamental ideas on the Boer side—the idea, namely, that the land in which they had settled was theirs by right Divine to govern wrong. The Transvaal was a new country so far as Europeans are concerned. It is as large as Great Britain and Ireland. 'Of course,' as Mr. Robson has put it, 'if any nation or race is strong enough to seize and hold so great a portion of the earth's surface and to exclude the rest of mankind from it, they may do so, but do not let them talk of their "right" to do so. No law, human or Divine, gives any such right, and the position of the conquerors depends on force alone. But what is to be said of a race which has

[1] Blue-Book, Cd. 261, p. 94. A similar letter was addressed by the Archbishop to Sir Gordon Sprigg.

[2] See pp. 31-41 of the Blue-Book, Cd. 261.

bound itself not to exclude the rest of mankind, and which is entitled, therefore, merely to share the new territory with others, claiming to reduce those others to political and civic servitude? If they are strong enough to do it, there is nothing more to be said, but do not let them be told they have a right to do it. The attempt to do it should meet with the reprobation of every lover of freedom, no matter what his race may be. It is an attempt to apply to the undeveloped portions of the earth the most odious form of tyranny known to the old world, a race tyranny. The tyranny of a King or a class was bad enough, but at least it was mitigated by sense of a common country, while a race tyranny adds national hate to class selfishness. The very patriotism which tempers one tyranny inflames the other. Imagine what the civilized world would say if America or Australia or New Zealand were to act on the lines laid down by Mr. Kruger!' (Letter to the *Times*, November 9, 1899.) To the Free Churches of Britain, Mr. Kruger's theory was naturally and inevitably repellent. To those churches the principle of liberty and equality is of the elements in which they live and move and have their being. The Congregational Union of Natal, in its address, sought 'to impress upon its fellow-Christians in England that the Boer ideal of government is a military oligarchy, while the British ideal is based upon the equality of all white men and the humane and just treatment of the native races.' It was for this object, the address added, 'that large numbers of the colonists of Natal, very many of whom belong to the churches and Sunday-schools of the Union, are now fighting at the front.' And to like effect the Cape Town Presbytery 'earnestly appealed to the Presbyterian Church throughout the Empire to help in striving for those principles of liberty and equality and justice for which our Church has striven and suffered all through its history.'

# CHAPTER XXXIII

## THE NATIVE QUESTION

Importance of the native question—Sympathy of the natives with the British in the war—Resolutions and subscriptions—The case of Esau, the black blacksmith—Treatment of the natives in the Transvaal and Cape Colony—The compound system: Mr. Moffat's views—Ill-treatment under the Transvaal 'Pass' Law—Great Britain as protector of the native races.

Do Englishmen always remember, I wonder, when writing, speaking, or thinking about South Africa, that the vast majority of its inhabitants are neither Dutch nor English, but Hottentots and Kaffirs? We think of it as 'a white man's country,' and so it is in the sense that the white men govern and can work and thrive in it. But in population it is a black man's country. In the Transvaal there are, roughly speaking, three black men to every white man. In Cape Colony the blacks are four to one; in Natal twelve to one. If we include the native populations of other regions within the British sphere, we may say that the people whom most of us probably in thinking of the future of South Africa leave out of account altogether, are considerably more than 80 per cent. of the population. And in South Africa the black races do not dwindle, but increase and multiply. The 'native question,' often lost sight of in recent years, has been the root in the past, as we have already seen (Chapter III.), of much of the conflict between Dutch and English. It will be in the future one of the most difficult of all the many problems which confront British and Colonial statesmanship in South Africa. It has been in the presence and before the sight of the preponderating black population

that the war between the two white races has been waged. The object of the present chapter is to consider what light the attitude of the natives has to throw upon the rights and wrongs of the struggle.

The general facts of the situation are well known. Each army had its black 'hewers of wood' and diggers of trenches, and against each accusations have been brought of arming or encouraging the natives. Into these mutual accusations we need not enter. On the whole, it is obvious that the blacks have been kept out of actual hostilities. There is honour among the fiercest of white combatants in a black man's country, and to have taught the black man to rise against his white masters, on the one side or on the other, would in South Africa have been the unpardonable sin. It was from this point of view that the British Government declined all the offers of assistance it received from coloured subjects of the Queen in other parts of the Empire. With what eyes, then, and with what thoughts did the black spectators in various parts of the scene of war regard the combat? Occasional glimpses into the black mind have been afforded us. They are among the most interesting and to us British the most satisfactory lessons of the war.

In Natal a remarkable meeting, attended by representatives of the natives in all parts of the colony, was held on June 1, 1900, on the Lower Tugela. The delegates, who were chiefly educated natives, numbered sixty, and a series of resolutions which was submitted to the meeting was adopted unanimously. The first resolution, which attested the continued and unwavering loyalty of the natives to 'our beloved Queen,' was carried by the whole assembly standing up and singing the National Anthem, after which lusty cheers were given. Other resolutions expressed an earnest prayer that Her Majesty's Government, in arranging a settlement, would safeguard the natives from restrictive legislation in the matter of education, and would grant a certain amount of direct representation in the Legislature and other privileges; extolled the policy of Lord Milner, and expressed the hope that he would be retained in office as Administrator of South African affairs; thanked Sir W.

Hely-Hutchinson, the Governor, for the interest he had shown in the native population, and Lord Roberts and Sir Redvers Buller for freeing Cape Colony and Natal of 'our enemies the Boers'; and, finally, advocated the annexation of both Republics (Reuter's telegram in the papers of June 11, 1900). The natives of Natal did not confine their sympathy to resolutions; they subscribed to the charitable war funds. The terms in which the subscription was sent by the Chief Ncwadi are interesting:

'In this bag you will find a small token of the gratitude of myself and my people for the protection afforded us by the Government and the army of Her Majesty the Queen. We were told to stay at home, and we have done so. The Queen's soldiers have fought, have been wounded, and have died for us, whilst we remained unscathed in our homes. Many of them are wounded and sick. This small gift from me and my people may furnish some needful comfort for them, and for this purpose I have brought it. We have just paid our hut tax and dog tax; we have had anxiety and much expense to provide for ourselves and families; my people have not been able to work and earn money as they might have done. If it were not for these things, your table would be red with Amangwane money for the use of the sick and wounded soldiers of Her Majesty the Queen' (Cd. 261, p. 158).[1]

'The news of the successes of the British arms has been received by the natives,' the Governor reported, 'with universal expressions of delight' (Cd. 261, p. 155).

Let us turn now to the other side of the theatre of war. The Rev. R. J. Campbell, who made a tour of South Africa during the earlier stages of the war, was much struck by the intense earnestness with which loyalty to Queen Victoria was everywhere expressed. 'The very natives,' he said, 'share it. They hear Britons speak of their Queen as they would of a Divinity, and they catch the inspiration. The Rev. "Tom" Brown, London Missionary Society missionary at Kuruman, told me of the difficulty he experienced in keeping the natives from rising against the Boers. Mr. and Mrs. Brown were badly treated by their captors after the fall of Kuruman, and yet, had they so chosen, a word would have let the tribes loose, and a

[1] Particulars of other native subscriptions will be found in a later Blue-Book, Cd. 547, p. 68.

frightful massacre would have resulted. Owing to the efforts of the missionary, they were induced to remain quiet, and wait patiently for the coming of the British troops. "The old mother is slow," the chiefs declared to their restive followers, "but her arm is long. She has many sons. They will come by-and-by. Sit still! Sit still!" To see and hear these things,' says Mr. Campbell, and most readers will agree with him, 'makes one rejoice in Greater Britain' (*Daily News*, May 11, 1900).

In Cape Colony the treatment of the natives is entirely in the hands of the Colonial Government; in Natal it is partly reserved by the Imperial Government; in Basutoland it is entirely in the hands of the latter. The Resident Commissioner reported on the attitude of the Basutos as follows:

'MASERU, *March* 25, 1900.

'The paramount Chief with his sons and other chiefs have been here for the last few days. Lerothodi requests respectfully to be allowed to express to you, and ask you to forward, his thankfulness and congratulations for the victories gained by Her Majesty's Government over the Queen's enemies, to reiterate his expressions of loyalty on behalf of himself and people. I beg Your Excellency will be pleased to accept the message, which was announced in public and cordially greeted.—LAGDEN' (Cd. 261, p. 52).

The loyalty of the coloured subjects of the Queen sometimes cost them dear. 'Their attitude and behaviour throughout,' says the Governor of Natal, 'has been worthy of high praise. Many of them have suffered for their loyalty. Some have been killed, and others wounded or injured by the enemy, on account of the assistance they have rendered to His Majesty's troops' (Feb. 13, 1901, Cd. 547, p. 68). The case of Esau, the coloured blacksmith of Calvinia, in Cape Colony, is worth citing. Here is a letter he sent to the Imperial Secretary in February, 1900:

'I really felt ashamed by given you so much trouble, but my loyalty to the British Crown forced me to do so. I have already handed in a letter by a private man, named Isaacs, and I hope you have received; but I want to put it once more to your notice that we loyal British subjects of Calvinia are in a dangerous position. I myself have been strongly warned by my friends not to go out of town because I'l be shot

by the farmers, and as true as there is a living God, I'l remain a true loyal British subject to the British Crown, and not I alone, but the whole coloured nation, are proofd their loyalty; so we coloured earnestly beg you, dear Honble. Sir, to be protected by the Imperial Government. (Here follows imputations of disloyalty on various individuals.) And, dear Honble. Sir, it is no several times that we colored people of Calvinia offered our little assistance to the British Crown, please let me know if there is chan no chance for our colored people to go to the front, if possible, let us then have a show. No I conclude with the best hope that you will take my letter in consideration and do anything in your power to protect us. Please correct my mistakes, because I'm not well educated, but a true British subject.

'I am, etc.,

'ABRAHAM J. EZAU.'

His loyalty cost him his life. A year later the Boers occupied Calvinia. 'He was flogged on January 15, and kept in gaol till February 5, when he was flogged through the streets and shot outside the village' (Cd. 547, pp. 1, 60, 70, 73, 74).

What is it that caused natives to be thus loyal to the British Crown, and that led them, on the whole, to be glad of the success of the British arms? As I have said before, it would be absurd to pretend that all British people treat the natives well. There are cruel English as well as cruel Boers. The real and vital difference is this: that under British rule there is protection, justice, and some measure of equality before the law for the black man, whereas under Boer rule the black man is outside the law. The following statements, drawn up by the Rev. Charles Phillips, show how the two systems compare in these respects:

*In the Transvaal.*

'1. In the IXth Article of the Constitution it is affirmed that there shall be absolutely "no equality, either in Church or in State, between white and coloured." The natives are the "zwartgoed," black goods or property, the "schepsels," mere creatures, the Gibeonites, to be used as the "hewers of wood and drawers of water" for the white people.

'2. They may not walk on the side-paths or occupy other than the trucks or carriages on the railway specially built for them.

'3. They may not engage in any kind of trading, such as hucksters or costermongers. No license could be obtained even by an educated and respectable coloured man for the purpose.

'4. In the land formerly their own, from which they were expelled or subjugated by a gigantic raid, they may not own even a foot of land.

'5. Till two years ago there never was such a thing as a legal marriage among coloured people. When it was granted, lest it should be thought that there was the shade of equality at the hymeneal altar, the preamble introduces the IXth Article of the Grondwet, quoted above. It then insisted upon a fee of £3 to the Government, and so hedged it round with other restrictions as to put a premium on immorality, insomuch that all branches of the Christian Church sent deputations to Pretoria and worked desperately for its abolition, preferring the old condition of things.

'6. A maximum is done for the education of every Boer child; a minimum for every Uitlander child; nothing whatever for the native child. Yet all contribute to the revenue. The native 3 per cent., the Boer 7½ per cent., the Uitlander 89½ per cent., so that the anomalous condition exists that the native helps to educate the Boer child, but gets nothing in return.

'7. It is difficult to compress into a paragraph the iniquitous working of the Pass Law. Each native, through his "Baas," must pay two shillings for a pass, and wear a metal badge on his left arm above the elbow. But many in the times of depression during the last two years were often out of work. Now, no work meant no "Baas," no "Baas" no pass, no pass imprisonment or fine.'[1]

*In Cape Colony.*

'1. The Constitution of the country allows no difference whatever, either in Church or State, on account of colour.

'2. The natives can walk where they like.

'3. Can trade on the same conditions as Boer and British.

'4. Can own land to full extent of his purchasing power.

'5. Can marry by the marriage law, which applies to all classes alike, and without paying any fee to the Government.

'6. Can obtain a grant for every properly-conducted school. I myself at one time had seven such in the Cape Colony under my charge, not one of which could have been kept open apart from the Government grant.

'7. But what is more important still, they have the franchise on the same conditions as the whites. Sir A. Milner asked far less at the Bloemfontein Conference for the Uitlanders than is freely granted to the natives in the Cape Colony.'

The more educated of the coloured people in Cape Colony thoroughly appreciate the differences set out in the above

[1] Mr. Phillips' article appeared in the *Daily News*, April 10, 1900. He spoke of the Pass Law as if it were still in force. It had been repealed shortly before the war.

tables. A deputation representing 100,000 of them in the Western Province presented an address to the Governor at the beginning of 1901, and in this they said:

'As British subjects, we desire to assure you of our high appreciation of the liberty and justice which our people have always enjoyed under the British Government. With regard to the position to be occupied by Her Majesty's coloured subjects in the Transvaal Colony and the Orange River Colony, we feel that we can with full confidence leave it to Your Excellency to secure for the coloured people that protection and freedom to which they are entitled. We trust that everything will be done in these colonies to secure liberty and freedom for all civilized people, and that every opportunity will be given to the uncivilized to raise their status and come within the ranks of Her Majesty's civilized subjects.'

Lord Milner, in reply, 'thoroughly agreed that it was not race or colour, but civilization which was the test of a man's capacity for political rights' (Cd. 547, No. 37). More 'morbid love of the natives,' it will be seen!

In the treatment of native labourers the advantage was also largely on the side of the Colony. No better testimony can be cited in this matter than that of the Rev. J. S. Moffat. He belongs to a family famous in the annals of missionary enterprise. His father was Dr. Robert Moffat, who laboured so long and so heroically as a missionary among the native tribes. Mr. Moffat himself was born among them, and grew up in their midst. For twenty years he has worked for them as a missionary. He has also had fifteen years' experience as a Government official among them. From the earliest days the missionaries have been the protectors and defenders, as well as the educators, of the natives of South Africa. The future of the coloured races depends more upon the missions and mission-schools than upon any other civilizing agency. Mr. Moffat, therefore, speaks as a friend of the natives, and as one who regards their just treatment to be of paramount importance. Here is a summary of what he says:

'In Cape Colony the native is well treated. The laws are just, and any abuses which may happen from time to time are exceptions. They are not the outcome of the laws which are on the statute book. Speaking as a missionary who has seen Kimberley before and after the compound system was established, I must say that I very strongly approve

of the system. It has been the salvation of the natives in Bechuanaland. Before it was put in force they were plundered right and left by the public-house keepers, who got rich by exploiting the natives. The compound system has done away with most of the abuses which existed. A native must now sign a contract for three months. During that time he is as much a prisoner as a sailor on board ship. He lives on the company's premises, and is not allowed to leave them. He is well fed and well housed ; he has nothing to complain of. The minimum wage of the raw Kaffir is 15s. a week. At the end of the week he pays the manager 5s. for his food. The remaining 10s. are also entrusted to the manager, and are paid to the native in a lump sum when he leaves the compound at the end of his term. At the end of three months he may either leave or renew his contract for a fresh period. The system works well. I have seen its results both in Kimberley and in the native villages in Bechuanaland in which I have lived and worked. Many of the young men go regularly to the mines and work there all the year round, only returning to their villages at the season of ploughing. They bring with them money and presents for their families which have remained behind. At Kimberley the welfare of the natives is looked after by a Government official, who is known as the Protector of Natives. He puts his heart and soul into his duties. Any complaints may be made to him, and he has both the power and the will to prevent abuses.

'In the Transvaal the natives were treated well enough when at work in the mines. As soon as they left them, however, they fell into the hands of the Johannesburg police, who robbed and oppressed them in a shameful fashion. Some of the laws dealing with the treatment of the natives on the Rand were good, but they were of no more value than wastepaper. The natives who lived in the Transvaal were the worst sufferers from the exactions of the police. They were helpless.

'The influence of the Imperial Government has been almost always exercised to secure just treatment for the natives and to protect them against oppression. The Dutch regard them as inferior beings who are practically the slaves of their masters. There is also a danger that the young colonists may adopt the Dutch view, and the working man in South Africa objects to the native because he will work for lower wages than a white man can do. In the past the Imperial Government has redressed the balance and has looked after the interests of the natives. It is to the Great White Queen over the sea that the coloured people always turn their eyes, and to whom they are devoted. It is very important that, both in the Transvaal and the Orange River Colony, the Imperial Government should keep a strict watch over the treatment of the natives. The native question is peculiarly an Imperial question, and in the new territories especially it is our duty to see that the war shall have brought them better treatment. The future prosperity and peace of South Africa depends upon whether the natives are contented or not. To follow the Boer policy of sitting on the safety-valve is very short-

**sighted, and is certain to end, sooner or later, in catastrophe. The natives are learning many things. In Cape Colony, for instance, they have two native newspapers, edited by native editors. They are also very good fighting men. The part they played in the colonial wars has often been overlooked. If you encourage them to learn and allow them the rewards of their industry and perseverance, they will be good friends and firm allies' (*Daily News*, February 15, 1900).**

So far Mr. Moffat. The ill-treatment to which the natives in the Transvaal were exposed under the Pass Law deserves some little illustration. It was made a means of organized extortion and robbery of the most flagrant kind. Absolute power was placed in the hands of any burgher, policeman, or official of the State to stop any native, especially a native coming home from working on the Rand, and inquire for his pass. Their passes were demanded by any Boer who met them; they were questioned even if their passes were in order, and often threatened to have their passes torn up if they did not make a gift. Travelling in the Transvaal, Mr. Bovill (from whom I am quoting[1]) gave one of the natives in charge of his waggon permission to go to a Sunday service of native Christians. On his way a policeman asked for his pass. The native pointed to the waggon, and said his pass was there, as it was for the three of them, the oxen and the waggon. In spite of his explanation, he was taken off to the Field Cornet, and charged with being at large without a pass. He was locked up in an outhouse until Monday morning, questioned by the Field Cornet, and fined £1 or twenty lashes. He asked to be allowed to go to the waggon with the policeman and get the money, but was told he would not be permitted, so he had to take the twenty lashes.

Of the cruelty shown by the Boers to the natives, sometimes under forms of law and sometimes without, the pages of South African history are full.

'It was long,' said Dr. Livingstone, 'before I could give credit to the tales of bloodshed told by native witnesses, but when I found the Boers themselves glorying in the bloody

[1] The Rev. J. H. Bovill, Rector of the cathedral church at Lourenço Marques. See his 'Natives under the Transvaal Flag' (1900).

scenes in which they had been themselves the actors, I was compelled to admit the validity of the testimony.'

'The Boers have persuaded themselves,' said John Mackenzie, 'by some wonderful mental process, that they are God's chosen people, and that the blacks are the wicked and condemned Canaanites, over whose heads the Divine anger lowers continually. . . . They shot them down like vermin.'

'You have ill-treated the natives,' President Burgers told his people at the time of the British annexation; 'you have shot them down; you have sold them into slavery, and now you have to pay the penalty.'

The ameliorating influences of Christianity have, I do not doubt, told among many of the Boers. Some missionary work has been done by the Dutch Reformed Church, and there have always been good masters among the Boers, as also bad masters among the British. That horrible cruelties are still sometimes perpetrated may be seen from the story of the Chieftainess Toeremetsjani and Commandant Cronje which is set forth in Mr. FitzPatrick's book (Appendix K.). My object, however, has been not to cite individual cases of ill-treatment, but to illustrate the fundamental differences of system and ideas between Boer and Briton. I think enough cause has now been shown to explain why native sympathies should have been on the British side in this struggle. It is the Boer treatment of the natives which explains, also, much of the fervour[1] with which the British Churches in South Africa have unanimously supported the British arms. The war was not undertaken for the sake of the natives, but the victory of the British arms will do something to ameliorate their lot, and the question cannot be left out in any general account which seeks to cast off the rights and wrongs of the war. To the honour of Great Britain it stands recorded, as a South African writer has said, on the page of history that from the first assumption of the Government of the Cape of

[1] The reader may fruitfully consult Mrs. Josephine Butler's 'Native Races and the War,' and an impassioned appeal to Christian people by Mrs. Ellis, sister of 'Olive Schreiner,' in the *Methodist Times*, January 5, 1900.

Good Hope, Great Britain has resolutely set herself the task of meting out justice between the conflicting claims of colonists and natives; and that, in the face of difficulties and bitter opposition, she has again and again compelled the most stubborn of European offenders to deal righteously with the coloured races whose champion and protector she is.

# CHAPTER XXXIV

## THE COLONIES AND THE WAR

The Empire 'discovered itself' on the battlefields of South Africa—The war a cement, not a dissolvent—Reasons for Colonial support in the war—Mutual insurance—Appeal to Canadian and Australian 'nationhood'—Conviction of the justice of the British cause—Help promised from the first—Public opinion in Australia favourable to the Uitlanders—Debates in the Australian Parliament—Resolutions in the Canadian House of Commons—Sir Wilfrid Laurier's speeches —Detachment of Colonial opinion—Colonial experience and the real issues of the war—Personnel of the contingents—Foreign opinion and Colonial—True significance of the latter.

NOTHING has been more remarkable in the Transvaal War than the deep and widespread spirit of patriotism which it has called forth even in the most distant portions of the British Empire. It has been said with truth that on the battlefields of South Africa 'the British Empire has discovered itself.' Historians of the future may probably see in this fact the most important and significant of all the aspects of the struggle. And, what is more remarkable, the emergency which has thus illustrated the solidarity of the Empire was the very case which twenty years ago was adduced as likely to prove its ruin. The strain of war, which it was predicted would be a dissolvent, has, in fact, turned out to be cement. In 1883, the late Sir John Seeley, in one of his lectures on 'The Expansion of England,' had suggested that in the future 'some organization might gradually be arrived at which might make the whole force of the Empire available in times of war.' Seeley's book was subjected to severe criticism by Mr. John Morley in one of his charming 'Miscellanies.' One of his principal contentions was that

Australian attachment to the Imperial connection would not bear the strain of serious war. It is true that the contingency taken by Mr. Morley in the course of his argument was 'of Great Britain being involved in a war with a Foreign Power of the first class.' The present struggle, arduous and severe though it is, and though it has required the largest British force ever put into the field, does not fully satisfy Mr. Morley's imaginary case. But the conditions are sufficiently near to it to form an instructive test of his argument. We may trace in the enthusiastic support accorded to the Mother Country by the Colonies on this occasion the operation of motives drawn both from interest and from sentiment. We may see also, as I hope to show, the operation of convictions which are not without their bearing on the rights and wrongs of the Transvaal War.

The motives of interest and sentiment are easily traced. In these days of universal expansion, when Great Britain is no longer the only State which pursues a world policy, when other countries are eagerly acquiring over-sea possessions and building great fleets wherewith to take or defend them, the Britons beyond the sea may well feel that their best, and perhaps for the time their only, security lies in connection with the first naval Power in the world. From this point of view, the support now accorded by them to Great Britain may be described as a kind of mutual insurance. When Mr. Kruger and Mr. Steyn declared war, it was seen that the authority and even the existence of the British realm was involved in the enemy's defeat. What concern, it has been asked, had Australia or New Zealand or Canada in South Africa? Why did they not mind their own affairs? The answer is, That this was their affair. It is the affair of each member of the British body politic that when one member suffers all should suffer with it; that in a just and sufficient cause the whole force of the Empire should be exerted to secure the redress of local grievances; and that when the Queen's dominions are anywhere attacked, they should from everywhere be defended.

Another factor which contributed, I believe, to the solidarity of the British Empire in South Africa is not

quite so obvious. Canada was already a nation. Australia was at the time in the act of becoming a nation. In each case the opportunity was seized to show proof of nationhood. The opportunity was thus favourable to the despatch of Australian contingents to South Africa. Local patriotism powerfully contributed to the wider patriotism of Empire. The Canadian Dominion, each component State of the new Australian Commonwealth, and New Zealand, which at present stands outside as a careful and friendly watcher, were anxious to show to themselves, to each other, to the Empire and to the world of what stuff they were made, of what sacrifices these new nations within the British Commonwealth were capable. This is the point of view taken by Mr. Brunton Stephens in the poem which he wrote for the Federation of Australia:[1]

'Ah! now we know the long delay
But served to assure a prouder day.
For while we waited came the call
To prove and make our title good—
To face the fiery ordeal
That tries the claim to nationhood.
And now in pride of challenge we enrol,
For all the world to read, the record's roll,
Whose bloody script attests a nation's soul.'

[1] An eloquent passage in one of Sir Wilfrid Laurier's speeches puts the same point (March 14, 1900): 'In many breasts there was a fugitive sense of uneasiness at the thought that the first facing of musketry by raw recruits is always a severe trial. But when the telegraph brought us the news that such was the good impression made by our Volunteers that the Commander-in-Chief had placed them in the post of honour, in the first rank, to share the dangers with that famous corps the Gordon Highlanders—when we read that they had justified fully the confidence placed in them, and that they had charged like veterans, that their conduct was heroic, and had won for them the encomiums of the Commander-in-Chief and the unstinted admiration of their comrades who had faced death on a hundred battlefields in all parts of the world—was there a man whose bosom did not swell with pride—that pride of pure patriotism, the pride of consciousness of our rising strength, the pride of consciousness that that day it had been revealed to the world that a new power had been born in the West?' (vociferous cheers, in which both sides of the House joined).

It is a remarkable indication of the interconnection of different parts of the British Empire that the South African War should thus have lent some consecration to Australian Federation, and Australian Federation have assisted the movement for sending contingents to South Africa.

But this analysis does not exhaust the matter. We may find also beneath the enthusiasm of the self-governing Colonies a deep conviction of the justice of the British cause. Attempts have been made, I am aware, to obscure this patent fact. It has been said, for instance, that the Colonies merely went to the assistance of the Mother Country because she was seen to be in difficulties. This explanation does not square with the dates. It is perfectly true that as the difficulties of the struggle increased the enthusiasm of the Colonies waxed higher and higher. And this fact, I may incidentally remark, disposes of another suggestion, namely, that the youth of Australia and Canada merely rushed into the affair as into a military picnic. We were told in some quarters that the Canadian and Australian troopers would return to their homes thoroughly disillusionized, and I believe it to be true that in some cases men of the Colonial contingents were surprised and disappointed. But such feelings did not kill the devotion to the British cause; many of those offering themselves for service in the later contingents had already fought in South Africa. Such men could no longer have been under any illusion as to the meaning of 'glorious war.' The recrudescence of the war caused also a recrudescence of the patriotic spirit in the Colonies. But that spirit began to show itself from the very first, before the real difficulties of the struggle had been revealed, before, even, hostilities had actually broken out.[1] The Colonial contingents signified, then, something more

[1] The actual dates on which first offers of assistance were made are as follow: Queensland, July 11, 1899; Victoria, July 12; Federated Malay States, July 17; Lagos, July 18; New South Wales, July 21; Hong Kong, September 21; New Zealand, September 28; South Australia and Canada, before October 3; Western Australia, October 5; Tasmania, October 9. The 'Correspondence relating to the Despatch of Colonial Military Contingents to South Africa' was issued in November, 1899, Cd. 18.

than a desire to help the Mother Country through a period of storm and stress. They signified a desire to stand shoulder to shoulder with her from the first and in any event.

A further attempt has been made to ignore the full political significance of this fact by representing the Colonies as ignorant or careless of the merits of the controversy. 'The Colonies,' said Sir Henry Campbell-Bannerman (House of Commons, October 20, 1899), 'did not inquire very much as to the reason why, but they came forward and helped the Mother Country when the Mother Country desired it.' Sir Henry was here misinformed. The Colonies did inquire as to the reason why. The Colonial contingents were not in the position of simple soldiers—'theirs but to do and die, theirs not to reason why.' They were volunteers and representatives of communities which felt and expressed the keenest sympathy with the cause of the quarrel. The Colonies first voted resolutions of sympathy with the Uitlanders and of confidence in Lord Milner, and then, when war was seen to be the issue, translated their votes into acts. The support of the Colonies, their co-operation in the war, would be important and significant in any case, as an evidence of the solidarity of the British Empire. It is made the more significant and the more satisfactory by the fact that it proceeded from a reasoned conviction of the justice of the British cause. The growth of this conviction was antecedent to the outbreak of hostilities; it was no *ex post facto* justification of an unreasoning war-fever or a tidal wave of patriotic enthusiasm. From New South Wales the Mayor of Sydney telegraphed in May, 1899, that a public meeting had expressed 'its sympathy with their fellow-countrymen in the Transvaal, and hoped that Her Majesty may be pleased to grant the prayer of her subjects' (daily papers, May 13). From Victoria the Governor reported on August 1 that 'the justice of the claims of the Uitlanders, on which Her Majesty's Government insist, is fully recognised by popular opinion in Victoria, and several public meetings have been held in support of the policy of the Government' (Cd. 18, p. 3). In Perth (Western Australia) a great public meeting, presided over by the Mayor, was held on May 19 to

the same purport. The mover of the resolution 'stated, amid great enthusiasm and applause, that when any portion of Her Majesty's subjects in a foreign country were harshly treated, it was the duty of all Britons to stand shoulder to shoulder, determined to see that their fellow-subjects secured justice. Meetings had been held throughout Australia, and the voice of united Australia would assuredly assist to strengthen the hands of the British Government in seeing that its subjects secured justice' (Reuter's telegram, daily papers, May 20). Australian politicians, as everybody knows, are very sensitive to public opinion. The Colonies are intensely democratic, and the popular will makes itself instantly and urgently felt. Australia is a land of short Parliaments. The shrewd men who administer her public affairs were only following up an already existing public opinion when they afterwards proposed the sending of contingents to co-operate with the British troops.

The debates in the Australian Parliaments when the votes for the contingents were submitted show as much familiarity with the Transvaal Question as our own debates at home. 'The vast majority of Australians,' said the Australian *Review of Reviews* (October, 1899) in summarizing the debates in the Colonial Parliaments, 'long since made up their minds that, in her efforts to secure a small instalment of justice for the Uitlanders of the Transvaal, Great Britain was only facing the manifest responsibility devolving upon her. Surely her honour is as much engaged to see that the white subjects of the Queen are not oppressed anywhere in South Africa as it is to see that blacks are not enslaved.' It is said that this is 'a capitalists' war.' But the democratic statesmen of Australia do not think so. They defend it both as a necessary vindication of British influence in South Africa, and also as a struggle for the application of the elementary principles of Liberalism. 'If asked,' said Mr. Playford in the South Australian Parliament, 'in whose interest he should be voting by supporting the Colonial contingent, he would unhesitatingly reply, In the interest of the people.' There was sentiment, as I have said, and also enlightened self-interest behind the action of the Colonies in this matter—sentiment

for the flag which they respect, which gives them protection, and under which their liberties have grown up. But it was sentiment of a lofty and of a reasoned kind. In denying the imputation that Australians would, like Emile Ollivier, rush light-heartedly into conflict, Mr. Murray Smith, in the Victorian Assembly, concluded with the following passage, which is well worthy of quotation:

'God knew his heart would be heavy enough when the war commenced. He hated war; he knew what it was, and what it would be. The Transvaal was inhabited by a brave and stubborn people, and it was no light task that Britain was undertaking to subdue the country. Lives would be lost; there would be lonely graves in the distant South African bush, and he knew the mourning there would be in British and Australian homes, amongst the wives and mothers and other dear ones far from the place where the young heroes slept. He deprecated the war if it could be safely and honourably averted, but if we did give some of our bravest and best to help the Mother Country, and if they did not all return, they would fall in a just cause; their country would honour their names and sanctify their memories.'

Mr. Seddon, in New Zealand, is the head of the most democratic Government, I suppose, within the British Empire. 'He said the demands of the British Government were righteous.' In a later speech he remarked that, 'though New Zealand was radical and democratic, and termed by some socialistic, there was in the present emergency an amount of Imperial patriotism in the country which was unsurpassed in any part of Her Majesty's dominions' (daily papers, January 1, 1900). This speech was the more significant from his having been recently returned to power after a General Election. Clearly in the Colonies there is nothing incompatible between democracy and an enlightened imperialism.

The reasoned conviction of Canada in the justice of the British cause was expressed in a series of resolutions unanimously adopted by its House of Commons on July 31, 1899. The resolutions were these:

'1. Resolved, that this House has viewed with regret the complications which have arisen in the Transvaal Republic, of which Her Majesty is suzerain, from the refusal to accord to Her Majesty's subjects now settled in that region any adequate participation in its government.

'2. Resolved, that this House has learned with still greater regret that the condition of things there existing has resulted in intolerable oppression, and has produced great and dangerous excitement among several classes of Her Majesty's subjects in her South African possessions.

'3. Resolved, that this House, representing a people which has largely succeeded, by the adoption of the principle of conceding equal political rights to every portion of the population, in harmonizing estrangements, and in producing general content with the existing system of government, desires to express its sympathy with the efforts of Her Majesty's Imperial authorities to obtain for the subjects of Her Majesty who have taken up their abode in the Transvaal such measure of justice and political recognition as may be found necessary to secure them in the full possession of equal rights and liberties' (C. 9518, p. 58).

Canada, it will be seen, first inquired into the reason why; then found that the principles for which the Imperial Government was contending were right and just; and finally, came forward, in support of what she believed to be a just cause, to help the Mother Country. By no one has the justice of that cause been more eloquently defended than by Sir Wilfrid Laurier, the Liberal Premier of Canada. 'I am fully convinced,' he said, 'in heart and conscience that there never was a juster war on the part of England than the present one' (March 14, 1900). In another speech he 'expressed the hope that the war would end in a victory that would take away from the Dutch population of South Africa none of the rights which they enjoyed to-day, but which would compel them to give to others the same treatment as they had always insisted upon for themselves, a victory which would probably bring about a South African Confederation in which there would be justice and freedom for all, and absolute equality before the law.' In conclusion, Sir Wilfrid Laurier said: 'With these grand ideals, these aspirations, these principles before them, the Colonies of Great Britain to-day stand behind her, not to give her assistance—she does not need that—but to affirm to the world that the unity of the British Empire is a real and living fact, and is based upon and derives its strength from the most complete local autonomy and unbounded respect for the rights and privileges of all its subjects. It is this which has inspired our policy, and that policy we submit

with confidence for the approval of Parliament' (February 5, 1900). The despatch of the Canadian contingent was approved with only ten dissentient votes. It was the expression of a matured conviction about the rights and wrongs of the Transvaal War.

It is not difficult, I think, to understand how it was that the Colonies appreciated so quickly and so clearly the issues involved in the war. For one thing, their position of detachment enabled them to disentangle the more easily the superficial from the real issues. They did not follow perhaps so closely as we did at home the minutiæ of the long controversy by despatch. They fastened from the first on salient facts. They saw British settlers in a country to which Great Britain had granted self-government deprived of the elementary rights of citizenship. They saw the Mother Country make an effort to obtain justice. They felt that the success of this effort was essential to the maintenance of the British Empire. The experience of the Colonies as new countries themselves must, in the second place, have brought the South African situation vividly home to them. Many Australians, it may also be remarked, had gone to the Transvaal, and one of them, Mr. 'Karri' Davies, had endured long imprisonment as a Reformer. The contrast between Australia and the Transvaal was very marked. Each is a country with pastoral and mining communities. In South Africa a racial difficulty existed, but so also it did in Canada. In Canada a solution was found in equality of rights. Canadians wanted to know why that equality was denied in the Transvaal.

Australian Colonists, again, know from practical experience the feelings and the ideals which British settlers take with them into new countries. They know that the secret of peace and order and contentment is self-government and equal rights. They do not understand a form of self-government under which a minority, alike in numbers, in wealth, and intelligence, are allowed, by means of a monopoly of the vote and of the gun, to keep in political subjection the majority of the inhabitants of the country. Australia was claimed in its entirety for the British Crown, but the

continent was thrown open on equal terms to all white people. The same has been the case in America. Neither there nor in Australia has there been any dominant and exclusive caste. 'Uitlanders' from all parts of the world settle in Australia. They enjoy equal rights with the original squatters. Naturalization has been easy; the franchise has been freely open to all. But in South Africa there has been a huge territory within which an entirely different order of ideas has prevailed. The theory of government in the Transvaal was racial, not territorial. There was no system of equal rights for all inhabitants. In the United States, in Australia, and in the British South African Colonies 'outlanders' have been freely admitted, have become 'inlanders,' and have merged in the common stock of citizens. In the Transvaal the dominant race kept a monopoly of the work of governing, and that although the so-called 'Outlanders' were inlanders by right and by promise, were a majority of the inhabitants, and were of the more progressive civilization. Australia has been occupied in trust, as it were, for general civilization. The Transvaal was occupied by Mr. Kruger and his original burghers as an exclusive possession.

Colonial opinion was thus able to go straight to the heart of the matter so far as British rights in the Transvaal were concerned. When Mr. Kruger launched his ultimatum and invaded British Colonies, the people of all the other Colonies grasped in a moment the vital importance of the conflict. In this connection I may quote a striking summary of Colonial opinion from the Australian *Review of Reviews*, January, 1900:

'The entire thought and imagination of Australia has been focussed upon South Africa during the month or more that the grim game of war has been in progress. Colonists can, somehow, regard certain of Great Britain's wars with a semi-detached interest. The Indian Frontier campaigns represented war upon a big scale, but their details were followed with a sort of philosophic calm. The Soudan reconquest stirred Australian pulses more as being stronger in picturesqueness. Moreover, it involved the wiping out of an old humiliation which Australia had resented as passionately as any part of the Empire. But the present Boer War is watched as though the thunder of the guns were within

earshot. Australians hang breathlessly upon news from the front. The gallant resistance of Kimberley and Mafeking, the vicissitudes of the campaign in Natal, have aroused every bit as keen admiration here as in London.

'What is the explanation of the phenomenon? First and foremost, no doubt, is the consciousness that Australia has given hostages in this South African quarrel, and stands, in fact as well as in spirit, by the side of the Mother Country. But the unanimous action of the Colonies in sending contingents to the seat of war is itself the effect of a cause, that cause being the intimate sympathy felt for Imperial aims in South Africa. Communities here, which have the best reason to know that British rule means the reign of freedom, are set in the view that it should and must be established in South Africa, one of the three great centres of our over-seas Empire. The spectacle of a great Dutch league, animated by the thinly-disguised purpose of driving the British flag from the Southern outpost where it has floated for a century, has awakened Australia to a real sense of crisis. The question in that aspect appeals to her with special force. She certainly chafed at the thought of British subjects, many of her own people among them, degraded to the status of an inferior race in the Transvaal. . . . But this irritation pales before the concern aroused by the deliberate menace to British authority from the Cape to the Zambesi. South Africa is the half-way house to Australia, as well as India, and we are nearly concerned that the house shall be set in order.'

I have heard it argued in pro-Boer circles that the Colonial contingents really signify very little, because the Colonial Governments did not pay for them. Colonial loyalty was of that which cost them nothing. The Imperial Government paid, and paid well, and out-o'-works enlisted by way of getting into a good thing. The facts on which this amiable hypothesis is based are not quite correctly stated. The inference I believe to be quite false. It is true that the Imperial Government has in all cases borne the charge of the men's pay, and in some cases that of their transport. But in other cases the cost of transport has been borne by the Colonies, and that of equipment by public or private funds therein. It is worth noting also that the voluntary contributions to the War Funds in the Colonies have been on a very generous scale, larger in some instances, than, proportionately to population, the contributions in the Mother Country herself. With regard to the personnel of the

contingents, I will give, by way of illustration, some particulars from New Zealand:

'The men represent,' says a local correspondent, 'some of the best types of our scattered population—which, by the last returns, numbers for the whole colony about 800,000 people, just as many as would fit comfortably in a second or third rate city in England—that these young men also are drawn from all ranks, and that they are not only men of industry and character, but some of them men of wealth. Included in the first and second contingents are farmers sons and men who are farmers themselves, schoolmasters, Oxford and Cambridge men, lawyers, blacksmiths, coal and gold miners, clerks, storemen, and so on—dwellers in both town and country. Since these two forces have left New Zealand, it has been realized that troopers accustomed to rough work in the bush would be far more useful for South Africa, and accordingly the third contingent, which is to leave Lyttelton to-morrow for the seat of war, will comprise men who have spent their lives on farms and stations, or in the bush country, and may be said to be more at home on a horse's back than off it. This force of Yeomanry owes its existence largely to the public spirit of Mr. G. G. Stead, of Christchurch. He offered £500 towards the formation of a troop from Canterbury, and, stimulated by his example, the people of that district worked so zealously that the troop was equipped in record time. This was the origin of the third contingent. The Canterbury troop will form the first company, and the second company will be made up of detachments sent with equal readiness from other districts in the Colony. The complete force, equipped and mounted and ready for service, will be landed in South Africa without one farthing of expense to the Imperial authorities.

'All these fine fellows of the four New Zealand contingents are offering their lives in no grudging spirit. On the contrary, it has been a most difficult task for the authorities to choose the forces, such has been the embarrassment of riches offered them. Applications to be allowed to serve in South Africa have come pouring in from all parts of the Colony, and there is now no doubt that had New Zealand resolved to send 1,000 men in the first contingent, instead of 200, that number could easily have been secured, and the moral effect achieved in despatching such a force from this Colony would have been incalculable. As I have shown, these fighting men of ours are not adventurers or soldiers of fortune, tired of life in New Zealand, and anxious to try their luck elsewhere. There are, perhaps, a few of this class, but the majority are men who, having set themselves to the great task of developing the industries of this splendid Colony, have cheerfully and at great sacrifice abandoned this duty, and left home and kindred in order to assist the Empire in its hour of need.

'Nor is the spirit of self-abnegation wholly on the side of the men themselves. New Zealand sacrifices a great deal in thus parting with

such magnificent specimens of her sons. Yet she is doing this willingly —nay, eagerly—and is cheering and encouraging her soldiers on their way to the war. The selfsame spirit is manifested by all the Colonies, and this is the kind of spirit which makes for Imperial Federation in the broadest sense of the word' (Letter from Christchurch in the *Daily News*, March 25, 1900).

The bias of anti-patriotism has been responsible for many curious exhibitions during the war. None of them is more curious than the insistence of a considerable number of people upon foreign opinion hostile to England, and their obliviousness of the true significance of Colonial opinion favourable to her. We have been told to humble ourselves before the hostile criticisms of European public opinion—before such expressions, I suppose, as 'fiendish yells of delight' which, as one of the Paris correspondents reported, resounded on the boulevards one night in consequence of rumours of the fall of Ladysmith. Even in cases of more reasoned and weightier argument, foreign opinion of English policy must always be subjected to heavy discount. Foreign ideals in politics are not always ours, and foreign interests are not British interests. This is why Mr. Gladstone, in one of his Midlothian speeches,[1] declared that to foreign criticism he was 'absolutely deaf.' But, however this may be, we may surely attach greater weight to the opinion of

[1] 'I want to know what British Minister ever was the object of so much obloquy in this same foreign press as was Lord Palmerston? And what happened in that debate? Member after member appealed to Vienna, to St. Petersburg, to Berlin, for authority to condemn Lord Palmerston; and Lord Russell made a reply which I well remember, and which deeply impressed me at the time. He said, "All these references to your foreign newspapers and foreign opinion, what do they show? They show that my noble friend has not been the Foreign Minister of Austria, has not been the Foreign Minister of Russia, has not been the Foreign Minister of Prussia, but has been the Foreign Minister of England." I care not whether it be language of intimidation, language of censure, language of flattery— to one and all I am absolutely deaf. No foreign press, no foreign declamation, be it what it may, should induce us to deviate one inch from the path which is a path of regard—steady, unflinching regard—to the interests of our own Empire; and above all which is a path of undeviating respect for its duty and its honour' (Ninth Midlothian Speech, March 30, 1880).

our own Colonies—to the opinion of men who share our ideals and our interests, and yet whose position of detachment enables them to judge our policy with some measure of impartiality. In this case the opinion of the Colonies has been unanimous. Many years ago, when Imperial Federation was being actively discussed, it was predicted that such practical co-operation as we have now witnessed among the far-sundered British Colonies was extremely improbable. It must, I think, be accepted as highly probable that the very diversities of interest and environment which the Empire includes would forbid the allied action of the Colonies with the Mother Country for any wanton and unnecessary enterprise. But is not their unanimity on the present occasion also significant? A poet, who has been unable to seize the true significance of present events, was well inspired when he sang with prophetic eloquence of a day when 'the new nations fostered in her shade,' forgetting not 'whence the breath was blown that wafted them afar,' would support the Mother Country in consciousness of common aims and common ideals. Is it not clear from the facts and considerations adduced in this chapter that it is the Liberalism of the British Colonies that has brought them to the side of England to fight the battle of Liberalism in South Africa?

# CHAPTER XXXV

## CONDITIONS OF SETTLEMENT

'Never again'—Presidents Kruger and Steyn's telegram to Lord Salisbury—Analysis of 'the second ultimatum'—Lord Salisbury's reply—Reasons for annexation—Limited independence impracticable—Charge of inconsistency against the British Government—'We seek no goldfields'—Logic of the stricken field—The settlement as the test of British professions—The proper scope for magnanimity—The essential conditions—Permanent peace and equal rights—The argument from difficulty—Conclusion.

THE last and most important lesson of the war refers to the conditions of settlement. It is summed up in a phrase employed by Lord Milner in reply to an address of confidence presented to him by the Nonconformist clergy at the Cape (April 12, 1900):

'The longer the struggle lasts, the greater the sacrifices which it involves, the stronger must surely be the determination of all of us to achieve a settlement which will render a repetition of this terrible scourge impossible. "Never again" must be the motto of all thinking, of all humane, men. It is for that reason—not for any lust of conquest, not from any desire to trample on a gallant, if misguided, enemy—that we desire that the settlement shall be no patchwork and no compromise; that it shall leave no room for misunderstanding, no opportunity for intrigue, for the revival of impossible ambitions, or the accumulation of enormous armaments. President Kruger has said that he wants no more Conventions, and I entirely agree with him. A compromise of that sort is unfair to everybody. If there is one thing of which, after recent experiences, I am absolutely convinced, it is that the vital interests of all those who live in South Africa, of our present enemies as much as of those who are on our side, demand that there should not be two dissimilar and antagonistic political systems in that which Nature and history have irrevocably decided must be one country. To agree to a compromise which would leave any ambiguity on that point would not be mag-

nanimity; it would be weakness, ingratitude, and cruelty—ingratitude to the heroic dead, and cruelty to the unborn generations.'

Into the phrase 'never again' the High Commissioner compressed a conviction which had been gradually forming itself in men's minds as the war proceeded. The price of war is in any case terrible. It is at best a cruel and an awful necessity. To exact the sacrifices of blood and treasure which it entails, and then to provide no adequate compensation in the form of security against a recurrence of the evils which necessitated it, would be an intolerable crime.

This was the conviction in the minds of the British people which dictated Lord Salisbury's reply to the remarkable telegram which President Kruger and President Steyn addressed to him on March 5, 1900. The text of this telegram was as follows (Cd. 35):

'THE PRESIDENTS OF THE ORANGE FREE STATE AND OF THE SOUTH AFRICAN REPUBLIC TO THE MARQUESS OF SALISBURY.

'BLOEMFONTEIN,
'*March* 5, 1900.

'The blood and the tears of the thousands who have suffered by this war, and the prospect of all the moral and economic ruin with which South Africa is now threatened, make it necessary for both belligerents to ask themselves dispassionately, and as in the sight of the Triune God, for what they are fighting, and whether the aim of each justifies all this appalling misery and devastation.

'With this object, and in view of the assertions of various British statesmen to the effect that this war was begun and is being carried on with the set purpose of undermining Her Majesty's authority in South Africa, and of setting up an Administration over all South Africa independent of Her Majesty's Government, we consider it our duty solemnly to declare that this war was undertaken solely as a defensive measure to safeguard the threatened independence of the South African Republic, and is only continued in order to secure and safeguard the incontestable independence of both Republics as Sovereign International States, and to obtain the assurance that those of Her Majesty's subjects who have taken part with us in this war shall suffer no harm whatsoever in person or property.

'On these conditions, but on these conditions alone, are we now, as in the past, desirous of seeing peace re-established in South Africa, and of putting an end to the evils now reigning over South Africa; while, if Her

Majesty's Government is determined to destroy the independence of the Republics, there is nothing left to us and to our people but to persevere to the end in the course already begun, in spite of the overwhelming pre-eminence of the British Empire, confident that that God who lighted the unextinguishable fire of the love of freedom in the hearts of ourselves and of our fathers will not forsake us, but will accomplish His work in us and in our descendants.

'We hesitated to make this declaration earlier to Your Excellency, as we feared that as long as the advantage was always on our side, and as long as our forces held defensive positions far in Her Majesty's colonies, such a declaration might hurt the feelings of honour of the British people; but now that the prestige of the British Empire may be considered to be assured by the capture of one of our forces by Her Majesty's troops, and that we are thereby forced to evacuate other positions which our forces had occupied, that difficulty is over, and we can no longer hesitate clearly to inform your Government and people in the sight of the whole civilized world why we are fighting, and on what conditions we are ready to restore peace.'

This despatch was described in advance as 'peace overtures.' In fact, it was more like a second ultimatum. Her Majesty's dominions had been invaded, her loyal subjects in South Africa had been put to great loss and suffering, her Government had had to call upon her people for heavy and grievous sacrifices. The valour and constancy of her troops had carried Her Majesty's arms to victory. In these circumstances, what were the conditions proposed by Mr. Kruger? They were a return to a modified *status quo ante bellum*, the modification being very much in Mr. Kruger's favour. He would only agree to peace, he said, on the two following conditions: First, that Her Majesty's Government should recognise 'the incontestable independence of both Republics as Sovereign International States,' and secondly, that Her Majesty's Government should promise him that 'those of Her Majesty's subjects who have taken part with us in this war shall suffer no harm whatsoever in person or property.' These conditions were ridiculous. As Mr. Kruger knew very well, the 'independence of the Transvaal as a Sovereign International State' was not 'incontestable.' His claims to that status had been contested and absolutely repudiated. Rather than admit the claim, although accommodating on other points, we had deliberately faced the risk of a rupture.

The second condition was equally impossible. The idea that Mr. Kruger had a right to dictate to Her Majesty how she should treat her subjects was preposterous. This despatch of March 5 seemed to show that he was still at the standpoint of his ultimatum of October 9. He still claimed to speak as one invested with authority on behalf of all South Africa, and still put forward the pretension, which it has been the avowed and persistent object of his life to establish, that the Transvaal was a Sovereign International State. That pretension had been resisted before war broke out. It could not be admitted after the verdict of the stricken field. The same inability to realize the plain facts of the situation is conspicuous in the whole wording and argument of the despatch. Mr. Kruger begins by asking himself 'dispassionately and in the sight of the Triune God' for what he is fighting. But that question came a little late in the day. His rejection of the British proposals of September 8 caused 'the blood and tears of thousands.' But he should have weighed the consequences before he sent his ultimatum. He should have considered what war meant before he declared it. There was little sign of any real desire to seek peace in this despatch of the Presidents. They did not ask for peace at all. They offered conditions on which they were ready to restore peace. They abstained, they declare, from making their offer before in order not to 'hurt the feelings of honour of the British people.' In view of certain statements made by Dr. Leyds and Mr. Montague White while the Boer arms seemed to be victorious, it is not uncharitable to think that there may have been another reason.[1]

To a despatch so worded, and containing such conditions,

[1] Dr. Leyds, while on his visit to Berlin at the end of January, 1900, said: 'I believe that England will have to give us back a good part of the territory formerly snatched away from us. . . . The Boers will probably demand the cession of the strip of coast between Durban and Delagoa Bay, with the harbours of Lucia and Kosi. The Orange Free State and the Transvaal are to be united and to form one State, together with parts of Natal and the northern districts of Cape Colony' (see messages of the *Daily News* Berlin correspondent, February 1 and March 16, 1900).

there could be only one answer. It was given by Lord Salisbury in the following terms:

'THE MARQUESS OF SALISBURY TO THE PRESIDENTS OF THE SOUTH AFRICAN REPUBLIC AND ORANGE FREE STATE.

'FOREIGN OFFICE,
'*March* 11, 1900.

'I have the honour to acknowledge Your Honours' telegram dated the 5th of March from Bloemfontein, of which the purport is principally to demand that Her Majesty's Government shall recognise the "incontestable independence" of the South African Republic and Orange Free State "as Sovereign International States," and to offer, on those terms, to bring the war to a conclusion.

'In the beginning of October last peace existed between Her Majesty and the two Republics under the Conventions which then were in existence. A discussion had been proceeding for some months between Her Majesty's Government and the South African Republic, of which the object was to obtain redress for certain very serious grievances under which British residents in the South African Republic were suffering. In the course of those negotiations the South African Republic had, to the knowledge of Her Majesty's Government, made considerable armaments, and the latter had, consequently, taken steps to provide corresponding reinforcements to the British garrisons of Cape Town and Natal. No infringement of the rights guaranteed by the Conventions had up to that point taken place on the British side. Suddenly, at two days' notice, the South African Republic, after issuing an insulting ultimatum, declared war upon Her Majesty, and the Orange Free State, with whom there had not even been any discussion, took a similar step. Her Majesty's dominions were immediately invaded by the two Republics, siege was laid to three towns within the British frontier, a large portion of the two colonies was overrun, with great destruction to property and life, and the Republics claimed to treat the inhabitants of extensive portions of Her Majesty's dominions as if those dominions had been annexed to one or other of them. In anticipation of these operations, the South African Republic had been accumulating for many years past military stores on an enormous scale, which by their character could only have been intended for use against Great Britain.

'Your Honours make some observations of a negative character upon the object with which these preparations were made. I do not think it necessary to discuss the questions you have raised. But the result of these preparations, carried on with great secrecy, has been that the British Empire has been compelled to confront an invasion which has entailed upon the Empire a costly war and the loss of thousands of precious lives. This great calamity has been the penalty which Great

Britain has suffered for having in recent years acquiesced in the existence of the two Republics.

'In view of the use to which the two Republics have put the position which was given to them, and the calamities which their unprovoked attack has inflicted upon Her Majesty's dominions, Her Majesty's Government can only answer Your Honours' telegram by saying that they are not prepared to assent to the independence either of the South African Republic or of the Orange Free State.'

The reasons for abolishing the independence of the two Republics are clear. They carried conviction to the minds of the British public, and the Government's decision was heartily supported, not only in South Africa, but in all the Colonies. There were, indeed, some who advocated a modified independence, and other conciliators wished to see the *status quo ante bellum* restored. The fatal objection to any such schemes was that they would plant the seeds of future trouble by leaving in South Africa a nucleus round which the old ideas might gather. 'We do not want,' said Mr. Rose-Innes at a public meeting in support of the annexation of the Republics, 'to see the misery and the suffering and the loss which a war of this kind entails. We do not want to see our sandy plains drenched with the best blood of England again, fighting against white men in this country. We do not want to see the flower of Colonial manhood shot down on the plains of the Orange Free State and the Karoo, and neither do we want to see brave men, born in South Africa, dying in heaps, dying for what we know is a hopeless ideal. Therefore we say, "In Heaven's name give us peace!" Have a settlement, but make no settlement which shall not be calculated, as far as human foresight can provide, to secure a permanent peace.'

The same sentiment was well expressed in this country by Mr. Birrell. 'It was not for him,' he said, 'to say anything about the terms of settlement, but he would say that, unless the settlement was one that rendered a repetition of the horrors of the past few months, humanly speaking, impossible, the loss of life and of money which had been involved would have been wantonly squandered.'

But the securing of this certainty was incompatible with the independence of the Republics. It was impossible to

give any independence which would not be a sham, and which would prevent the Republics from being a menace to the peace of South Africa. To restore the *status quo*, with a franchise scheme and other conditions, would have been ludicrous. As Mr. Innes said, 'If you were to try that and put the Uitlanders back again, and have a new President there, and equal votes, and equal rights of bearing arms, the sections of the community would be at each other's throats before the British troops were fairly out of the country, friction and trouble would arise, and the same ghastly business would have to be gone through all over again.' One condition of independence, it was suggested, might be complete disarmament. 'But,' continued Mr. Innes, 'what does the history of Africa show?—that you cannot keep arms out of Africa. Our statute-books are full of legislation trying to keep arms from getting into the hands of the native races, but we have not succeeded. The pigeon-holes of the Foreign Office and the Colonial Office are full of papers in regard to the regulation of the sale of arms in South Africa, but they have not succeeded. And if you put the Transvaal on its legs as an independent State in their sense of the term, with all the paper guarantees and all the provision you may make, you cannot prevent their arming and again becoming a danger to the peace of South Africa.'

Some suggested that, short of annexation pure and simple, the Republics might be set up in the position of protected States. Such a policy would have been a fatal encouragement to future hopes, ambitions, and intrigues. The conditions and limitations might have been as strict as anyone pleased, but the danger would still be there. What was the foresight of our politicians worth in the Conventions of 1881 and 1884? They were supposed to guard against all dangers; but they did not. They left out of account the possibility of a great influx of settlers, though the story of the Kimberley Diamond Fields was then past, and though at the very time when Mr. Kruger negotiated the Convention of 1884 he was inviting British settlers to come and search for gold. What guarantee could there be that similar blunders would not be committed again, and that the reconstituted Republics would

not be equally ready to take advantage of them? In any case, the situation would still have been left open, as Mr. Westlake said, to 'the difficulty which uniformly dogs the attempt to maintain restrictions on any State acknowledged to be one':

'The right of Russia to emancipation from the Black Sea clauses of the Treaty of Paris was put by many on the ground that restrictions on what a State may do to its own territory are contrary to nature—a contradiction in logic, and therefore never to be justified except for a temporary purpose. Those who remember 1848 will call to mind how, when tearing up the treaties of 1815, the satisfaction of the French in proclaiming themselves free to fortify Huningue seemed at least equal to that which they felt from claiming an increased liberty of action in Europe. So we may be sure that if the Republics continue to exist, it will not be long before they, with the support of their sympathizers in all parts of the world, will not only try, but will claim as of right, to shake off all fetters to which they may be subjected. And they will have the further support of those who, while unable to deny the attempts which the Transvaal has made from 1881 to shake off the successive conventions, justify them on the ground that the independence taken from them in 1877 ought to have been fully restored. There are never wanting those who contend that a State is not prevented by its signature from reopening the question whether the conditions which it signed were just, and their arguments will be backed by the fallacy that no permanent restrictions on a State can be just. . . . Our statesmen are in such a matter under the peculiar liability of being misled by our Indian experience. For reasons of policy, the reality of which I am far from disputing, we have built up in the peninsula a system of our own, of which the result is that the relations between the United Kingdom and the native States cannot be expressed without contradiction in the terms of European international law. That does not matter, for there is no neighbour to take advantage of the circumstance, and it has been officially notified in the Indian Government *Gazette* of August 21, 1891, that "the principles of international law have no bearing upon the relations between the Government of India as representing the Queen-Empress on the one hand, and the native States under the suzerainty of Her Majesty on the other." But in South Africa we dare not follow such precedents. If the evident mind of the nation is to be carried out, it must be made clear to those who take their stand on European international law that the Dutch States have ceased to exist, even as dependent ones' (Letter in the *Times*, March 14, 1900).

The situation admitted in a word of no more disputes about conventions, protectorates, and suzerainties. And so

by process of exhaustion, the conclusion was reached that the necessary securities could only be obtained by the establishment throughout the British sphere of influence in South Africa of one political system under the British Crown. The Orange Free State was accordingly annexed by proclamation as the Orange River Colony on May 28, 1900. The South African Republic was annexed on September 1, 1900. (For the terms of the proclamations, see Cd. 261, p. 153, and Cd. 420, p. 87).

Of course this policy of annexation exposed Great Britain to charges of perfidy. 'We know very well,' said Mr. Innes, 'that England will be charged with making war in order to take these territories. But,' he added, 'we know also perfectly well that the charge is absolutely false. We know that neither the English Government nor the English people wanted this war or these lands.' For the war she was unprepared, and she made long and careful efforts to offer terms which might have prevented it. Among others, she offered an absolute guarantee of the independence and integrity of the South African Republic. This is the justification for Lord Salisbury's speech at the Guildhall on November 9, 1899, when he said, 'We seek no goldfields; we seek no territory.' But the context should be given:

'With respect to the future, I shall not dare to say anything except to deprecate some very strange assertions which I see occasionally in the Continental press. I saw it stated the other day, not by a chance writer, but by a man who had been a member of a French Government, that this war had for its object the gratification of the lusts of the greedy lords who desire to share in the participation among themselves of the gold and the diamonds of the Transvaal. I beg to assure that gentleman that the Cabinet have not had one farthing from the Transvaal or any other goldfield. . . . I would go farther, and say that England as a whole would have no advantage from the possession of gold-mines, except so far as her Government conferred the blessings of good government upon those who had the prosecution of that industry. . . . But that is the limit of our interest. We seek no goldfields; we seek no territory. What we desire is equal rights for all men of all races, and security for our fellow-subjects and for the Empire. I will not ask by what means those results are to be obtained; the hour for asking that has not yet come.'

It is to be regretted that Lord Salisbury did not guard

himself more carefully against misrepresentation. It is clear enough, however, that what he was defining in that speech was the motive with which the British nation had entered into the struggle. And in denying the allegation that we had entered into it from lust of gold or territory, he was perfectly right. If the territories are now annexed, it is because no other means could be found for obtaining the things we did go to war for—namely, 'equal rights' and 'security for our fellow-subjects and for the Empire.' Terms that would have been readily and unreservedly accepted by this country in order to avert war became impossible by the logic of the stricken field.

The best answer to charges of bad faith against this country, the true test of our sincerity, will be sought, and I hope will be found, in the ultimate settlement of the two territories added to the King's dominions. The point was well put by Lord Milner in the speech already quoted. He denied that a patchwork settlement would be true magnanimity, and then continued:

> 'When I say that, do not think that I wish to join in the outcry, at present so prevalent, against the fine old virtue of magnanimity. I believe in it as much as ever I did, and there is plenty of room for it in the South Africa of to-day. We can show it by a frank recognition of what is great and admirable in the character of our enemies; by not maligning them as a body because of the sins of the few, or perhaps even of many individuals. We can show it by not crowing excessively over our victories, and by not thinking evil of everyone who, for one reason or another, is unable to join in our legitimate rejoicings. We can show it by striving to take care that our treatment of those who have been guilty of rebellion, while characterized by a just severity towards the really guilty parties, should be devoid of any spirit of vindictiveness or of race prejudice. We can show it, above all, when this dire struggle is over, by proving by our acts that they libelled us who said that we fought for gold or any material advantage, and that the rights and privileges which we have resolutely claimed for ourselves we are prepared freely to extend to others, even to those who have fought against us, whenever they are prepared loyally to accept them.'

The conditions, then, of a settlement which shall conform to the view of the rights and wrongs of the Transvaal War which has been presented in this book are two. On the one

hand, the burden which the British Empire has undertaken must be carried through unfalteringly to the end, so that no possibility of any recurrence of the scourge of war may remain. On the other hand, there must be no vindictiveness in the immediate settlement, when the war is over, and no unnecessary delay in establishing free institutions in the territory rescued from the oligarchic misrule of Mr. Kruger. A few words under each of these heads will bring our argument to an end. It is impossible to say when the conditions will admit of representative government being established in the two new colonies. It is obvious that between the cessation of martial law and the ultimate establishment of Home Rule there must be a middle period of what is called Crown Colony administration. The system has a bad name, but in many respects a good record. The obvious advantage of it is that it is elastic, and admits of gradual abolition in favour of responsible government. The steps in this direction should be taken as rapidly as circumstances may make possible.

Some faith and courage should be found in the precedent of Canada, where equal rights have enabled two races to live and thrive together. In South Africa there need be no agrarian question, and there can hardly be any religious question, to fear. The language question will be settled by the admission of Dutch on equal terms with English, wherever the option is really required. There may be as much danger in delaying free institutions as in giving them. The experience of 1877 is full of instruction. As Mr. FitzPatrick puts it:

'The real mistakes of the British Government began *after* the annexation. The failure to fulfil promises; the deviation from old ways of government; the appointment of unsuitable officials, who did not understand the people or their language; the neglect to convene the Volksraad or to hold fresh elections, as definitely promised; the establishment of personal rule by military men, who treated the Boers with harshness and contempt, and would make no allowance for their simple, old-fashioned ways, their deep-seated prejudices, and, if you like, their stupid opposition to modern ideas—these things and others caused great dissatisfaction, and gave ample material for the nucleus of irreconcilables to work with' ('The Transvaal from Within,' p. 24).

The British settlers, it must be remembered, will be impatient for self-government no less—perhaps even more—than the Boers. The British, who will flock into the Transvaal, will not long be content with Downing Street rule.

These questions are, however, for the future. As I write, the war still continues, and men's minds are still concentrated on the necessity of 'seeing the thing through.' It has been urged against this policy that the struggle is an 'unequal' one, and can bring us 'no glory.' But how and why does a superfluity of strength on the British side absolve a British Government from the duty of protecting its subjects and maintaining its rights? The contest between law and disorder is often an unequal one: the organized forces of the police are immeasurably the stronger; but that is not generally held to be a reason why the weaker party should not be sent to the wall. This contest is in one aspect of it a question of South African police. It is in no aspect a prize-fight in a ring. And as for the absence of any glory in the end of it, that also must be taken in the day's work. The forces of the British Empire are employed not for glory, but of necessity. The wages she seeks are but 'the wages of going on, and still to be.' But, say some, if the difficulties of the struggle had been foreseen, this country would never have embarked upon it; and now that the bills are coming in, say others, opinions about the war will change. It may be so. That the Government of the day grossly miscalculated the difficulties of the war and made inadequate preparations for it, is certain. If men were once of opinion that the British Government foresaw everything and prepared for what they foresaw, their opinions may well be changed. But I do not think that the argument from difficulty tells in any way against the view of the rights and wrongs of the war which has been presented in this book. A sonnet of Archbishop Trench has often been quoted, and it expresses a thought which must have been in many minds:

'Yes, let us own it in confession free,
That, when we girt ourselves to quell the wrong,

We deemed it not so giant-like and strong,
But it with our slight effort thought to see
Pushed from its base ; yea, almost deemed that we,
Champions of right, might be excused the price
Of pain, and loss, and large self-sacrifice,
Set ever on high things by Heaven's decree.
What if this work's great hardness was concealed
From us, until so far upon our way
That no escape remained us, no retreat—
Lest, being at an earlier hour revealed,
We might have shrunk too weakly from the heat,
And shunned the burden of this fiery day?'

If we had known the difficulties in the way, it is possible that we should have shrunk from the task. But in so shrinking, might we not have laid up for ourselves yet more formidable difficulties in the future? The armaments which the Dutch Republics had accumulated in South Africa, the ambitions of which those armaments were the instrument, were intended for use against the British Empire. They have been so used, as the fates have decreed, at a time when the Empire was comparatively free from complications elsewhere and was at liberty to 'muddle through somehow.' I. is not pleasant to contemplate what might have happened if Mr. Kruger had been able to throw down his challenge at some moment when the British Army or British Navy or both had been engaged elsewhere. However this may be, the argument from difficulty is of no avail to affect the inherent justice and necessity of the struggle. It appeals neither to Christians whose religion is one of sacrifice, nor to patriots who know that on the same foundation has the British Empire been built up.

'Never the lotos closes, never the wild-fowl wake,
But a soul goes out on the east wind that died for England's sake.'

It is for British statesmanship to secure in South Africa what British valour and constancy have won. The war will fail of its final justification, the sacrifice of so much love and life and hope throughout the Empire will have been in vain,

alike if permanent peace be not obtained, and if the sphere of justice and liberty and equal rights be not in due course extended throughout those regions of South Africa which are henceforth to work out their destiny under the British flag.

# APPENDIX

I AM sometimes asked for copies of two valedictory articles which appeared in the *Daily News* at the time of the severance of my connection with that paper. I take the opportunity to reprint them here, because they describe the standpoint from which the preceding pages are written :

'SOUTH AFRICA: A RETROSPECT.

(*Daily News*, January 9, 1901.)

'Five years ago to-day the country was at once startled and relieved by the news that Her Majesty's Government had given orders for the immediate despatch of a flying squadron to South Africa. The announcement was in response to the German Emperor's telegram to President Kruger, which in its turn was an echo of the Jameson Raid—one of the most discreditable and calamitous events in the recent history of the British Empire. There are those who go further and attribute to the Raid the whole and the sole cause of all the troubles that have since overtaken South Africa. That it has greatly aggravated them is beyond all question. But it was not their true cause. The Raid did not spring straight from the head of Mr. Rhodes or Dr. Jameson. It was the perversion of a legitimate agitation of a kind which always has arisen and, it is to be hoped, always will arise when British people are subjected to oppression. To the philosophic historian the Raid must thus present itself as a symptom, rather than as a cause.

'But *corruptio optimi pessima.* The perversion of the Reform agitation from within into a lawless raid from without was a crime and a blunder which had the worst possible consequences. It imposed, however, upon the British Government a duty, and afforded Mr. Kruger's Government an opportunity. The duty was to make searching and remorseless inquiry into the origin and secret history of the Raid. Mr. Kruger's opportunity was to use the years of

grace which that colossal blunder had given him for the introduction of some instalment of genuine reform. The *Daily News* did all that the force of iteration could do to present this double aspect of the question. Unhappily for the peace of Africa, the British Parliament, through its Select Committee, neglected the duty, and Mr. Kruger neglected his opportunity. The inquiry into the Raid was closed just at the point of greatest interest and importance. The Committee was on that account christened in this column 'The Committee of No Inquiry.' But the Liberal press was not supported by the Liberal leaders. The representatives of the Liberal Front Bench upon the Committee agreed to the suspension of the inquiry. This was an irreparable blunder. It was the loss of one of those golden moments which, as Mr. Gladstone said of another and greater issue, 'do not return.' No amount of subsequent vituperation of Mr. Chamberlain was able to wipe out the consequences of the blunder. The inquiry closed with suspicions still left to lurk in unexplored corners, and the closure was with the approval, or without the protest, of the leading Liberal representatives on the Committee.

'Mr. Kruger's blunder was even greater than that of the British Government and the British Parliament. Never was so favourable an opportunity afforded for wise statesmanship. The Imperial Government was for the time powerless. Mr. Chamberlain for some brief moments thought still to press for reforms. Sir Hercules Robinson promptly suppressed the attempt, and moderate reformers, both here and in South Africa, were on the whole disposed to agree with him. The Uitlanders themselves were divided and cowed. Even a very small instalment of genuine reform must have secured to Mr. Kruger a further lease of unchallenged authority, and to South Africa a period of uninterrupted peace. The Industrial Commission appointed by Mr. Kruger himself, which reported at the same time as our own Select Committee, showed him the way. But it was not to be. The influences of corruption and the instincts of Conservatism were too strong. Unhappily, Mr. Kruger found false friends in this country to encourage him in hardening his heart. The industrial grievances were virtually ignored, and the political grievances were on the whole aggravated. Like a good Conservative, Mr. Kruger set to work on the principle that coercion is the best remedy. He became more autocratic than ever, so that even his own Chief Justice was compelled to denounce him. He introduced fresh measures of oppression, and he spent the taxes,

levied upon the unrepresented majority of the population, in the purchase of enormous armaments.

'Particulars were published in the *Daily News* yesterday with regard to these armaments, and another correspondent sends us some further information to-day. The "apathetic laxity" of Her Majesty's Ministers in face of this menace to the "kwaaje vrouw," as Mr. Kruger called the Queen, should have formed one of the main indictments against the British Government. The menace did not stand alone. What were the excessive armaments wanted for? The answer, of course, is to arm the Orange Free State, as well as the Transvaal. Mr. Steyn had concluded with Mr. Kruger an offensive and defensive alliance. This alliance was opposed with singular prescience by Mr. Steyn's rival, Mr. Fraser. He opposed it, as he said in a speech to his constituents (see *Daily News* leader, March 27, 1900), because it put the Free State at the mercy of the Transvaal; because it supported a Government in that State which was shamefully corrupt, and which, thereby, was a source of perpetual unrest in South Africa; and because, lastly, it jeopardized the friendly relations of the Free State with Great Britain, and thereby endangered its independence. Every word of Mr. Fraser's forecast has come true. Nor is that all. At the time when Mr. Fraser spoke, Mr. Kruger and Dr. Leyds were elaborating in voluminous despatches their claim to the status of a Sovereign International State. From first to last this has been Mr. Kruger's ambition. He avowed it in 1883, and he repeated it even in his so-called overtures of peace last year. "Let come what may," he said in the Volksraad, "we must show that we are an independent State. The Volksraad can depend on myself, the Executive Council, and the Commandant-General."

'What came in 1899 was the revival—inevitable, as Mr. Fraser saw—of the Uitlander agitation; the petition to the Queen, and action upon it by Her Majesty's Ministers. The policy of the Government in taking the matter up was approved in these columns. It seemed to us that the honour and the interests of Great Britain as an Imperial Power were alike involved; that the British hegemony in South Africa was at stake; and that, if any backwardness or fear were displayed, the confidence in the Mother Country of other British States than those in South Africa might be fatally shaken. This view of the matter was soon to be confirmed by the outburst of enthusiastic support which the British policy in South Africa evoked in all parts of the Empire. This was a popular outburst by demo-

cratic communities, expressed in resolutions and meetings and by popular pressure in Australasia, and by unanimous votes passed in the Canadian Parliament.

'Mr. Chamberlain's despatches in the earlier stages of the controversy were often far from happy, and his speeches were nearly always mischievous and ill-advised. But at the final and critical stage the Government's despatches met with approval from the leading men and the principal newspapers of all parties and sections. The offer contained in the despatch of September 8 was recognised on all sides as moderate, conciliatory, and reasonable, and Mr. Kruger was told even by the most stalwart among his supporters that he would have no excuse for rejecting it. When he failed to accept it, plenty of excuses were forthcoming from the very same quarters. We were unequal to this agility, but we felt and wrote strongly that time should be gained and another attempt made to stave off the terrible calamity of a rupture. We compiled what we called "an interim despatch." The despatch was in substance adopted by the Government, and once more everybody was united. The despatch, it was generally agreed, afforded "a golden bridge." Mr. Kruger declined to walk on it. His ultimatum, as we now know, was even then being drafted. A fortnight later it was launched, and war broke out.

'With the issue of the ultimatum the Liberal party, with some few exceptions, was united in support of the Government. The support was given not because full confidence was felt in the Government. No sensible man, of any party, could feel such confidence. The Government had not succeeded in presenting the British case in its most favourable light. They had miscalculated the magnitude of their task. Their conduct of the war was marked by blunders and omissions at every turn. We had hoped that this aspect of the case would be prominently and boldly placed before the country by the united forces of the Opposition. We thought and said at the time, and subsequent events must be held to have strengthened our contention, that a mistake was made at the beginning of the last Session of the last Parliament in attacking the policy of the war, which divided the Liberal party most, instead of challenging the conduct of the war, which would have divided the Liberal party not at all, and which—a no less important point—might have effected some useful national purpose. However, there will be plenty of time and opportunity for such criticism in the future. For the immediate moment, the country is united, we must hope, in the policy

so well laid down by Mr. Gladstone, the chief Liberal Whip, last week: "There must be no recurrence of the war. The country must be settled and governed under the British colours. That policy is accepted. If we are to exist as an Empire, we cannot go back from it."

'Such, in briefest summary, is the view of the South African problem which has been presented in this column during the last five years. It has been presented, we hope, with courtesy and toleration. That it has been presented with intense conviction, we know. We would fain believe that it has been presented also with a constant reference to facts, and with an avoidance of any appeal to passion and prejudice.'

'THE NEW LIBERALISM: A FORECAST.

(*Daily News*, January 10, 1901.)

'What a pity it is that so many people can never be persuaded to believe a truism! Someone delivered himself the other day—we think it was Sir Robert Giffen—of a truism on that question of "Imperialism" which has so greatly vexed the Liberal party. "There the British Empire is," he said, "and we have to make the best of it." If all Liberals could only be induced actively to believe in this incontrovertible proposition, how many misunderstandings and heartburnings might be removed! There the British Empire is, and it is the duty and the necessity—and, as some of us would add, the privilege—of every Government and every party to maintain it, and "make the best of it." By the concurrent force of many causes at work in the world, it seems destined that Imperial questions shall occupy a large place in the politics of the immediate future. The process of expansion, it may be hoped, has nearly reached its limits; the task of consolidation has yet to be taken up. We may note incidentally in this connection the remarkable speech of Sir Wilfrid Laurier, reported this morning. "The result of the present system," he says, "has been to lead us to thoughts of closer union than ever before." The direction in which the Canadian Premier's thoughts are running is that which shall combine "the strictest lines of Canadian nationality with British citizenship." In the solution of all Imperial problems there is a great part for Liberalism to play. The British Empire means nothing, or nothing good, unless it be built upon the principles of self-government, of equal rights, of political and commercial freedom. But if the Liberal

party is to take its proper part in the discussion and solution of Imperial problems, it must show itself in sympathy with the national feeling at home and abroad; and for this two things are necessary. One is a frank acceptance of Imperial burdens, and the other is the cultivation of a sympathetic tone and temper in approaching Imperial questions. The bias of patriotism may easily be carried to excess; but the bias of anti-patriotism is worse. It is worse because it means loss of faith in that Imperial "trust and function" of which Mr. Gladstone spoke in his memorable Fourth Midlothian, and a party that has lost faith and hope can never be a true party of progress.

'It is often said that devotion to foreign and colonial questions necessarily means stagnation at home. If this were true, it would be so much the worse for home affairs, for those other questions present themselves for the most part of necessity, and will not be denied. Of Tory Governments, the statement often is true. Of a policy of sane Imperialism, such as it is the duty of the New Liberalism to formulate, the statement is profoundly untrue. On any broad and Liberal view of the matter, social reform and sane Imperialism are closely linked together. There is one deep truth in what is nicknamed "Little Englandism." It is this, that the fabric of Empire must in the last resort depend, in principal measure, upon the strength, the happiness, the prosperity of these little islands of the Empire-home. This thought was admirably put by Mr. Morley at Glasgow, in 1896, in a passage which we will once more quote. "I have never felt," he said, "that I for one am a Little Englander. I believe that the most beneficent work for humanity has been done, and is being done, by Great Britain, but I am for a safe England, a strong England, a just England, a right-doing England, and then the bigger the better." There is no lesson written more clearly upon the pages of history than this: that an Empire which is rotten or stagnant at the heart is doomed to dissolution. We want, therefore, for a sane Imperialism, a safe England, a just England, a right-doing England, a happy and contented England, and, we may add, a business-like England. It is to the Liberal party that the nation and the Empire ought to look for the securing of these things. We want administrative and political reform to open yet more fully a free career to talent and to put the right men in the right places. We want a better system of education to equip British citizens more adequately for the keen industrial competition of these new times. We want industrial reforms which shall at once secure to the workers

better conditions of life, and relieve the trade of the country from the losses caused by industrial warfare. Above all, we want social reforms which shall do whatever by Act of Parliament can be done to save little children from the terrible start in life which is the lot of too many of them, to rescue a large proportion of the people from the thraldom of drink, to provide the labouring classes with decent houses for their working life, and with homes of honourable refuge in old age. An esteemed correspondent, Dr. Guinness Rogers, wrote an article the other day on what he called "The False Gospel of the Anti." It is not enough, he meant, if we understood him aright, for Liberals to oppose and to destroy—not enough to be anti-Chamberlainite, or anti-this and anti-that. They must find also, and place before the country, a constructive policy of social amelioration. In so doing, they will be a patriotic party in the fullest sense of the term, for patriotism, as Ruskin teaches, is nearer to a vice than to a virtue unless the patriot strives to make the country of which he is proud happier, stronger, and better.

'It is on these lines that we have endeavoured during the years permitted to us to conduct the *Daily News*. No one can be more conscious than the conductor of this newspaper of the meagre array which any accomplishment shows by the side of his opportunities. But there are occasions when it is permissible, perhaps, to avow one's aims and intentions. Our object, then, has been to keep steadily in view the larger interests and duties of the country as an Imperial Power, and to sink, in some measure, mere party considerations in the face of national emergencies. But at the same time we have tried—and, thanks to able writers and special correspondents, we have sometimes not wholly failed in the attempt—to criticise as it deserved the class legislation and administrative blundering of Lord Salisbury's Government; to contribute on one or two occasions towards the solution of industrial strife; to arouse public attention to social evils, and to promote social reforms. It is on these lines of "sane Imperialism" and social reform—and, as we believe, on no others—that the New Liberalism may hope to regain the commanding position of the Old, and to render effective service, in its time, to the country and the Empire.'

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